



RECORD OF PROCEEDING

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

FEBRUARY 17, 2016

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

ABSENT

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

APPROVAL OF MINUTES

The minutes of the February 1, 2016 City Council meeting were submitted for approval. Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, 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 recognized several Boy Scouts in attendance and invited them to stay after the meeting, to ask any questions they may have.

COMMUNICATIONS AND PETITIONS

Mr. Wade Luther, 14583 Appalachian Trail, commented on the performance of the Mayor and City Council.

Mr. Jeff Chapple, 328 Marmont Court, stated his disagreement with Council's decision to discontinue membership with the St. Louis County Municipal League.

Mr. John Hammond, 1203 Walnut Hill Farm Drive, encouraged Council to delay filling the City Administrator position until after the upcoming election.

Mr. Gary Cunningham, 1602 Timberlake Manor Parkway, spoke in opposition to Bill No. 3073 (Amends City Ordinances to Authorize City Council to Establish and Fill the Position of "City Administrator Pro Tem") and Bill No. 3074 (Appoints a "City Administrator Pro Tem"; Establishes Compensation for Said Position; Authorizes Execution of Employment Agreement).

APPOINTMENTS

Mayor Nation reported that Bill No. 3070 (Appoints the City Attorney and Authorizes the Mayor to Execute a Contract for Legal Services) is scheduled for a first reading under the "Legislation" portion of the agenda.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3071 (P.Z. 12-2015, Warwick On White Road [1050 and 1060 White Road]) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Fults made a motion, seconded by Councilmember DeGroot, to select Director of Public Services Mike Geisel, or his designee, as a City representative on the Monarch-Chesterfield Levee District Board, should a vacancy become available. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults made a motion, seconded by Councilmember Hurt, to approve an eighteen (18) month extension to the time period for submittal of Site Development Concept Plans and Site Development Plans listed in the governing ordinance for (P.Z. 05-

2014, 18626 Olive Street Road). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults reported that Bill No. 3072 (Authorizes Execution of License Agreement with MoDOT re: Chesterfield Parkway Pedestrian Bridge) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, February 18, at 5:30 p.m.

Committee-Of-The-Whole

Councilmember Connie Fults, President Pro Tem, reported that no action will be taken pertaining to Bill No. 3073 (Amends City Ordinances to Authorize City Council to Establish and Fill the Position of “City Administrator Pro Tem”), pending more Executive Session discussion, not yet scheduled.

Councilmember Fults reported that no action will be taken pertaining to Bill No. 3074 (Appoints a “City Administrator Pro Tem”; Establishes Compensation for Said Position; Authorizes Execution of Employment Agreement), pending more Executive Session discussion, not yet scheduled.

Mayor Nation stated his strong objection to the passage of Bill No. 3073 (Amends City Ordinances to Authorize City Council to Establish and Fill the Position of “City Administrator Pro Tem”) and Bill No. 3074 (Appoints a “City Administrator Pro Tem”, Establishes Compensation for Said Position, Authorizes Execution of Employment Agreement) because he believes the legislative action contemplated by these bills is inconsistent and contrary to existing state statutes as well as city ordinances and city code.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Staff recently negotiated a contract for design and construction engineering services associated with the construction of a CNG Fueling Station. The construction of this facility is an important component of the planned conversion of our Public Works Fleet, from diesel to Compressed Natural Gas (CNG), which was previously reviewed/approved by City Council. 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 EFK Moen, LLC, at a cost not to exceed \$178,600 for design services and \$83,300 for construction engineering services. Eighty percent (80%) of this total cost will be reimbursed to the City, due to grant funds previously obtained by Staff. Councilmember Flachsbarth made a motion, seconded by Councilmember Nations, to award a contract to EFK Moen, LLC, at a cost not to exceed \$178,600 for design services and \$83,300 for construction engineering services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Zen, located at 17535 Chesterfield Airport Road, has requested a new liquor license, for retail sale of beer/wine 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 DeGroot made a motion, seconded by Councilmember Grissom, to approve issuance of a new liquor license to Zen. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Chesterfield Produce, located at 18521 Outlet Blvd., has requested a new liquor license, to sell all kinds of liquor by the drink 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 Nations made a motion, seconded by Councilmember Grissom, to approve issuance of a new liquor license to Chesterfield Produce. 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

Mayor Nation stated the purpose of Resolution No. 419 (Authorizes Mayor to Execute Contract for Special Legal Counsel) is his request for a second opinion regarding the advisability of Bill No. 3073 (Amends City Ordinances to Authorize City Council to Establish and Fill the Position of “City Administrator Pro Tem”) and Bill No. 3074 (Appoints a “City Administrator Pro Tem”; Establishes Compensation for Said Position; Authorizes Execution of Employment Agreement), should they progress to the point of a vote. Mayor Nation directed Mr. Herring to place this item on the March 7 City Council agenda for a formal vote.

Councilmember Fults commented that she and Councilmember DeGroot are alarmed by the increase in IRS identity theft cases in the City of Chesterfield. They acknowledged this is not something that is handled at the municipal level, but are interested in ideas to bring attention to this growing problem. She asked Mr. Herring/Chief Johnson to add this item to the next Public Health and Safety Committee AGENDA.

LEGISLATION

BILL NO. 3072 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A
LICENSE AGREEMENT WITH THE MISSOURI HIGHWAYS
AND TRANSPORTATION COMMISSION FOR
CONSTRUCTION OF THE CHESTERFIELD PARKWAY
PEDESTRIAN BRIDGE OVER INTERSTATE 64 **(FIRST
READING; PLANNING/PUBLIC WORKS COMMITTEE)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3072. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3072 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 3071 AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-2” RESIDENTIAL DISTRICT, FOR AN 8.31 ACRE TRACT OF LAND, LOCATED SOUTHEAST OF THE INTERSECTION OF WHITE ROAD AND GREENTRAILS DRIVE **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3071. A voice vote was taken with an affirmative result (Councilmember McGuinness voted “No”) and the motion was declared passed. Bill No. 3071 was read for the first time.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:54 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk