



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, October 7, 2019
6:45PM**

I. Appointments

Reappointments – Police Personnel Board

- Robert Puyear
- Laura Houck

II. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

A. Next Meeting – October 10, 2019 (5:30pm)

III. Finance and Administration Committee – Chairperson Michael Moore, Ward III

A. City Council Policy #10 - Speakers

B. Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

IV. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

V. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

A. Proposed Resolution for Hazard Plan

VI. Report from the City Administrator & Other Items Requiring Action by City Council – Mike Geisel

A. Liquor License Request – Syberg's Chesterfield

B. Special Counsel Agreements

1. Harris, Dowell, Fisher & Young L.L.C. (Michael Harris)
2. Armstrong Teasdale L.L.P. (Rob Klahr)

VII. Other Legislation

A. Proposed Resolution - Board of Freeholders

IX. New Business – Mayor Bob Nation

X. Adjourn –

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3)1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



AGENDA
CHESTERFIELD CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, October 7, 2019
7:00PM

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. Executive Session Meeting Minutes** - September 16, 2019
 - B. City Council Meeting Minutes** – September 16, 2019
- VI. INTRODUCTORY REMARKS (items not requiring action by City Council)** – Mayor Bob Nation
 - A. Thursday, October 10, 2019** – Planning & Public Works Committee (5:30pm)
 - B. Wednesday, October 16, 2019** – Planning Commission (7pm)
 - C. Wednesday, October 23, 2019** – Next City Council Meeting (7pm)
 - D. Tuesday, October 29, 2019** – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)
- VII. COMMUNICATIONS AND PETITIONS**

VIII. APPOINTMENTS – Mayor Bob Nation

A. Reappointments – Police Personnel Board

- Robert Puyear
- Laura Houck

IX. STANDING COMMITTEE OF COUNCIL COMMITTEE REPORTS & ASSOCIATED LEGISLATION

A. Planning and Public Works Committee – Chairperson Mary Ann Mastorakos, Ward II

1. Next Meeting – October 10, 2019 (5:30pm)

B. Finance and Administration Committee – Chairperson Michael Moore, Ward III

1. City Council Policy #10 - Speakers

2. Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

C. Parks, Recreation and Arts Committee – Chairperson Tom DeCampi, Ward IV

D. Public Health and Safety Committee – Chairperson Mary Monachella, Ward I

1. Proposed Resolution for Hazard Plan

X. REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL – Mike Geisel

A. Liquor License Request – Syberg’s Chesterfield

B. Special Counsel Agreements

- 1. Harris, Dowell, Fisher & Young L.L.C. (Michael Harris)**
- 2. Armstrong Teasdale L.L.P. (Rob Klahr)**

XI. OTHER LEGISLATION

A. Proposed Resolution - Board of Freeholders

XII. UNFINISHED BUSINESS – Mayor Bob Nation

XIII. NEW BUSINESS – Mayor Bob Nation

XIV. ADJOURNMENT

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RECORD OF PROCEEDING

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

SEPTEMBER 16, 2019

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 Mary Monachella
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the September 4, 2019 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the September 4, 2019 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 third annual Trustee Symposium is scheduled for Wednesday, September 18, at 6:00 p.m.

Mayor Nation announced that the next meeting of City Council is scheduled for Monday, October 7, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mr. Michael Kane, 1292 Stillhouse Creek, spoke on behalf of the Chesterfield Historic and Landmark Preservation Committee and the Heritage Foundation.

Mr. Brendan Wells, 15855 Large Oak Road, spoke on behalf of the residents along Old Clarkson Road in support of Bill No. 3257 (P.Z. 11-2018 15750 Old Clarkson Rd [Kumara S. Vadivelu]).

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Bill No. 3257 Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of the “NU” Non-Urban District to an “E-1/2AC” Estate Half Acre District for a 4.76 acre tract of land located on the south side of Old Clarkson Road approximately 900 feet from its intersection with Baxter Road [P.Z. 11-2018 15750 Old Clarkson Rd, Kumara S. Vadivelu (NU To E-1/2AC) 19S130015]
**(Second Reading) Planning Commission recommends approval.
Planning & Public Works Committee recommends approval**

Councilmember Mary Ann Mastorakos, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3257. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3257 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3257 with the following results: Ayes – McGuinness, Mastorakos, Moore, Ohley, Monachella, Keathley, Hurt and DeCampi. Nays – None. Whereupon Mayor Nation declared Bill No. 3257 approved, passed it and it became **ORDINANCE NO. 3065**.

Councilmember Mastorakos announced that the next meeting of this Committee is scheduled for Thursday, October 10, at 5:30 p.m.

Finance and Administration Committee

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee is scheduled for Tuesday, October 1, at 5:30 p.m. as a Committee of the Whole. This is the second of three scheduled Budget Workshop meetings.

Parks, Recreation & Arts Committee

Councilmember Tom DeCampi, Chairperson of the Parks, Recreation & Arts Committee, made a motion, seconded by Councilmember Keathley, to grant Emeritus status to Terry Grogan, Citizens Committee for the Environment. Councilmember Hurt commented for the record that Mr. Grogan has been recognized for his contributions to the environment, scouting organizations, and communities in the region, including Chesterfield. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Mastorakos, to approve proposed fee increases for the dog park, community garden and pavilion rental, as recommended by the Parks, Recreation and Arts Committee, effective beginning in 2020. A roll call vote was taken with the following results: Ayes – Hurt, Monachella, McGuinness, Mastorakos, Keathley, DeCampi, Moore and Ohley. Nays – None. Whereupon the motion was declared passed.

Public Health & Safety Committee

Councilmember Mary Monachella, Chairperson of the Public Health & Safety Committee, announced that the next meeting of this Committee is scheduled for Tuesday, September 24, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel indicated that he had no report this evening.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:20 p.m.

Mayor Bob Nation

ATTEST:

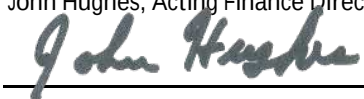
Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

City of Chesterfield
Excess Checks (=> \$5,000)
September 2019

DATE	CHECK #	VENDOR	DESCRIPTION	CHECK AMT
9/6/2019	44529	G. R. ROBINSON SEED	CHEMICAL & FIELD CHALK, FERTILIZER	\$ 6,672.00
9/6/2019	44533	METROPOLITAN ST. LOUIS SEWER DISTRICT	16365 LYDIA HILL DR, ACCT #0472321-9	11,741.84
9/13/2019	44560	COJO MUSIC LLC	CONCERT	15,000.00
9/24/2019	44623	AMEREN MISSOURI	16365 LYDIA HILL RD, ACCT# 8780009313	6,923.82
9/24/2019	44625	AMEREN MISSOURI	17925 NORTH OUTER FORTY, CONCESSION B, ACCT# 0153089010	6,366.44
9/27/2019	44646	ALL PURPOSE ERECTORS, INC	LIGHTING	16,245.00
9/13/2019	58641	AMCON MUNICIPAL CONCRETE, LLC	2019 SELECTIVE SLAB REPLACEMENT A	24,471.73
9/13/2019	58642	AMEREN MISSOURI	690 CHESTERFIELD PKWY W-0627147004	18,144.81
9/13/2019	58648	AMERICAN READY MIX CO.	2018-2019 CONCRETE	5,405.75
9/13/2019	58661	FIRETECH, LLC	REPAIRS FOR FIRE SPRINKLER SYSTEM AT PWF	6,710.00
9/13/2019	58676	NUWAY CONCRETE FORMS	PORTABLE AIR COMPRESSOR	20,443.42
9/13/2019	58678	R. V. WAGNER, INC.	2019 SIDEWALK REPLACEMENT-AREA B	31,325.65
9/13/2019	58684	SILVERSTONE HOTELS, LLC	GRADING RELEASE-CHESTERFIELD BLUE VALLEY,TOWN PLACE SUITES	5,000.00
9/13/2019	58688	TOPE PLUMBING	2155 CEDAR FOREST - SEWER REPAIR	8,379.05
9/13/2019	58691	TOPE PLUMBING	14601 SUMMER BLOSSOM - SEWER REPAIR	5,737.10
9/13/2019	58696	TOWN PLANNING AND URBAN DESIGN COLLABORATIVE LLC	UPDATES TO CITY OF CHESTERFIELD COMPREHENSIVE PLAN	39,838.00
9/17/2019	58710	OATES ASSOCIATES	OLD CHESTERFIELD ROAD CULVERT DESIGN ENGINEERING SERVICES	5,157.50
9/17/2019	58712	ST. LOUIS AREA HEALTH INSURANCE TRUST-MEDICAL	SEPT 2019 HEALTH INSURANCE	193,171.68
9/17/2019	58713	TIMBERLINE PROFESSIONAL TREE CARE	2019 STREET TREE REMOVAL	7,330.00
9/20/2019	58717	A GRAPHIC RESOURCE, INC	3RD QUARTER NEWSLETTER-FALL 2019	6,222.85
9/20/2019	58718	AMCON MUNICIPAL CONCRETE, LLC	2019 SELECTIVE SLAB REPLACEMENT A	31,397.68
9/20/2019	58719	BARTIMUS FRICKLETON ROBERTSON RADER	FIRM EXPENSES INCURRED/SPECIAL COUNCIL MINIMUM FEE CASE#208556	28,293.97
9/20/2019	58731	FISCHER & FRICHTEL	LOT CASH ESCROW RELEASE-WARWICK ON WHITE ROAD, LOTS 1,4,5,9	6,000.00
9/20/2019	58754	THE HARTFORD-PRIORITY ACCOUNTS	SEPT 2019 LIFE INSURANCE	8,463.13
9/20/2019	58763	WIRELESS USA	(28) VEHICLE CHANGEOVERS	11,084.24
9/24/2019	58775	ENERGY PETROLEUM CO.	NO LEAD 87 OCT RFG - PARKS, #2 ULTRA LS DIESEL	13,619.45
9/24/2019	58781	J. M. MARSCHUETZ	2019 SELECTIVE SLAB REPLACEMENT B, 2019 SELECTIVE SLAB REPLACEMENT C	82,060.18
9/24/2019	58794	SPIRIT VALLEY DEVELOPMENT LLC	LANDSCAPE SURETY RELEASE-SPIRIT VALLEY BUSINESS PARK, LOT 4	14,782.60
9/24/2019	58802	TOPE PLUMBING	1579 TIMBERLAKE MANOR - SEWER REPAIR	5,237.55
9/27/2019	58806	AMERICAN READY MIX CO.	2018-2019 CONCRETE	8,498.25
9/27/2019	58810	DELTA DENTAL OF MISSOURI	OCT 2019 DENTAL INSURANCE	14,278.61
9/27/2019	58811	ENERGY PETROLEUM CO.	#2 ULTRA LS DIESEL - PARKS, NO LEAD 87 OCT RFG - PARKS, NL PLUS 89 OCT RFG	16,095.46
				<u>\$ 680,097.76</u>

Respectfully submitted by,
John Hughes, Acting Finance Director



10/1/2019

AGENDA REVIEW – Monday 10/07/2019 – 6:45 PM

An AGENDA REVIEW meeting has been scheduled to start at **6:45 pm, on Monday, October 7, 2019.**

Please let me know, ASAP, if you will be unable to attend this meeting.

UPCOMING MEETINGS/EVENTS

- A. Thursday, October 10, 2019** – Planning & Public Works Committee (5:30pm)
- B. Wednesday, October 16, 2019** – Planning Commission (7pm)
- C. Wednesday, October 23, 2019** – Next City Council Meeting (7pm)
- D. Tuesday, October 29, 2019** – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

APPOINTMENTS

Mayor Nation has nominated Robert Puyear and Laura Houck to be reappointed to the Police Personnel Board. The Police Personnel Board is a statutory committee and such appointments must be confirmed by the City Council. A voice vote is requested for the reappointments.

- Robert Puyear
- Laura Houck



DATE: September 30, 2019
TO: Michael O. Geisel, City Administrator
FROM: Vickie McGownd, City Clerk *nm*
SUBJECT: Statutory Committee Re-Appointments

Mayor Nation intends to nominate the following individuals for re-appointment at the October 7, 2019 City Council meeting:

Police Personnel Board

Robert Puyear
226 River Valley Drive
Chesterfield, MO 63017
314-878-3796 - h
rbpuyear@swbell.net
Ward I
New term expires 10/4/22

Laura Houck
15861 Cedarmill Drive
Chesterfield, MO 63017
636-537-2026 - h
314-520-3171 - c
l.j.houck@hotmail.com
Ward III
New term expires 10/5/22

Please add these re-appointments to the October 7 City Council agenda.

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Hurt

The Planning and Public Works Committee does not have any action items for the October 7, 2019 City Council Meeting.

NEXT MEETING

The next meeting of the Planning & Public Works Committee is scheduled for Thursday, October 10, 2019.

If you have any questions, please contact Director of Planning and Development Services Justin Wyse, or me prior to Monday's meeting.

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember Keathley

At the 10/1/2019 meeting of the F&A Committee of the Whole, the Committee favorably recommended the revisions to City Council Policy #10 – Speakers. A voice vote is required to adopt the revised policy.

Next Meeting – October 29, 2019 – Finance & Administration Committee Meeting of the Whole Budget Workshop (#3) (5:30pm)

As was discussed at each of the prior workshops, please submit any questions or concerns to me or Acting Finance Director John Hughes as soon as practicable to facilitate discussion at the next workshop.

If you have any questions or require additional information please contact Assistant Finance Director John Hughes or me prior to Monday's meeting.

DATE: October 2, 2019

TO: Michael O. Geisel, City Administrator
John Hughes, Acting Finance Director

FROM: Vickie McGownd, City Clerk *rym*

SUBJECT: City Council Policy No. 10
Speakers – City Council Meetings



As directed by the Finance and Administration Committee of the Whole on October 1, 2019, I have revised City Council Policy No. 10 – Speakers – pertaining to the deadline for submittal of speaker cards and the purpose of the public comment portion of City Council meetings.

Attached to this memo are the existing policy and the recommended policy as revised.

Action Recommended

Please add this item to the October 7, 2019 City Council meeting agenda for consideration and approval.

**CITY OF CHESTERFIELD
POLICY STATEMENT**

CITY COUNCIL		NO.	10
SUBJECT	Speakers – City Council Meetings	INDEX	CC
DATE		DATE	1/4/17
ISSUED	9/17/89	REVISED	9/5/18

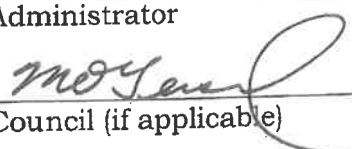
POLICY:

Individuals who seek to address City Council are allowed to speak without cross-examination by members of City Council. Individual speakers will be given four (4) minutes to address City Council. Speakers representing a group will be given five (5) minutes. Speakers must sign up with the City Clerk within ten (10) minutes after the meeting has started.

RECOMMENDED BY:

Department Head/Director/Council Committee (if applicable)

Date**APPROVED BY:**

City Administrator

City Council (if applicable)

Date

12/12/18
Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

CITY COUNCIL

No. 10

SUBJECT: SPEAKERS – CITY COUNCIL MEETINGS

INDEX: CC

DATE ISSUED: 9/17/89

**DATE
REVISED: 10/7/19**

POLICY:

Individuals are welcomed and encouraged to participate and address City Council during the Communications and Petitions portion of the meeting. This portion of the meeting is intended to be an opportunity for the public to express their opinions, and Councilmembers may respond.

Individual speakers will be given four (4) minutes to address City Council. Speakers representing a group will be given five (5) minutes. Speakers are asked to submit a speaker card to the City Clerk before the meeting is called to order, but not later than the close of public comment.

RECOMMENDED BY:

Department Head/Director/Council Committee
(if applicable)

Date

APPROVED BY:

City Administrator

Date

City Council (if applicable)

Date

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Hurt

The next meeting of the Parks, Recreation and Arts Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Director of Parks, Recreation and Arts, Tom McCarthy or me prior to Monday's meeting.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember Monachella

Vice Chair: Michael Moore

At the last meeting of the Public Health and Safety Committee, the committee favorably recommended that City Council approve the Proposed Resolution to adopt the St. Louis Regional Hazard Mitigation Plan. Said resolution is necessary to allow the City to qualify for Hazard Mitigation grant funding. As such, a proposed resolution is scheduled for your consideration. A voice vote is requested.

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Monday's meeting.

MEMORANDUM

DATE: September 25, 2019
TO: Mike Geisel, City Administrator
FROM: Chief Ray Johnson 
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE

The Public Health and Safety (PH&S) Committee met on Tuesday, September 24, 2019. Those in attendance included Chairperson Mary Monachella Councilmember Ward I, Councilmember Ben Keathley, Ward II, Councilmember Michael Moore, Ward III, Councilmember Michelle Ohley, Ward IV, Mayor Bob Nation, Councilmember Mary Ann Mastorakos, Ward II, Chief Ray Johnson, Captain Michael Thompson, and Captain Dan Dunn.

I. Called to order

The meeting was called to order at 5:30 PM by Chairperson, Councilmember Mary Monachella.

II. Roll Call was completed

III. Approval of Minutes – August 1, 2019

Councilmember Moore motioned and Councilmember Monachella seconded to approve the minutes of the August 1, 2019 meeting as amended (the addition to Item VI, paragraph four: (The Committee discussed the possibility of a victims advocate system as it would be related to the Drug Court Program and Domestic Violence). The motion carried 3-1 with Michelle Ohley voting "no".

Councilmember Monachella motioned and Councilmember Keathley motion to suspend the order of the agenda to allow Prosecuting Attorney Engelmeyer to address the Committee as Item VIII. Other. The motion carried 4-0.

XIII. Other – Victims Advocate for Municipal Court

Prosecuting Attorney Tim Engelmeyer informed the Committee members of an upcoming Town Hall meeting on Domestic Violence scheduled for October 24, 2019 at 3:00 PM at the St. Louis County Courthouse. Concerning this issue, Mr. Engelmeyer asked for consideration from the City to have a Victims' Advocate working with staff in the Police Department and the Municipal Court. This position would enhance the Court's efficiency and proper assistance for victims of domestic violence. Many times the victim of domestic violence do not proceed with a case because of fear of the further abuse and little personal support. The Victim Advocated would work with the victim from the time of the reported abuse through the Court process, and then follow-up aside from the Court. Often times, a single case will be on the Court docket several times because of a victim's hesitancy to prosecute. The Committee members questioned the cost for the

additional personnel. Mr. Engelmeyer suggested a part-time position to be shared with possibly with another municipality. Chief Johnson noted his plans to attend the Town Hall meeting. He noted his opinion that a full time person is not needed but will also check with other municipalities in close proximity to Chesterfield regarding the possibility of shared services.

This item will be an agenda item at the next meeting of Public Health & Safety.

The meeting then resumed the original agenda.

IV. Personnel Request

Chief Johnson addressed the Committee to consider approval of a request to add an additional Code Enforcement Inspector to the Police Department. The City handles more than 500 calls for service yearly. Residents generate almost all of these requests. Although some of the complaints are small items that can be quickly resolved, others require a great deal of time to bring about a solution. At this time, the one Code Enforcement Inspector is heavily committed and an addition would allow complaints to be handled more effectively and efficiently.

Councilmember Keathley motioned and Councilmember Moore seconded to approve this request and send a recommendation to the Finance Committee recommending their approval to fund this new position in the 2020 budget. The motion carried 4-0.

V. River Valley Drive – Gate Closure

Councilmember Keathley informed the Committee that he had received complaints regarding the proper opening and closing of the gate at the north end of River Valley Drive. Chief Johnson reported that he has investigated this with the Police Department, the Fire District and found that all have access keys and have utilized the policies regarding the gate correctly.

Councilmember Ohley asked if follow-up had been done on a concern expressed by a resident regarding an ambulance accessing her property in an emergency. Chief Johnson reviewed this with the Fire District and the concern was dismissed; the policy for emergency access is all working properly.

VI. St. Louis Regional Hazard Mitigation Plan

Chief Johnson requested that the Committee endorse a resolution to adopt in the St. Louis Regional Hazard Mitigation Plan. This participation in this plan will make the City eligible to apply for State and Federal grant funds for pre-disaster hazard mitigation. Noting there is no cost to the City, Councilmember Moore Motioned and Councilmember Monachella seconded to approve the request and send the proposed resolution to City Council. The motion carried 4-0.

VII. Fireworks Display

Chief Johnson gave the Committee a brief history of a recent Fireworks Display that took place at Logan College. Logan College had rented their facility to an outside entity who planned the display. That entity believed they had correctly followed policy for a fireworks display by securing a licensed fireworks display company and getting a permit from the Monarch Fire District. Unfortunately, the entity did not seek a permit from the City of Chesterfield. It was noted that complaints were made to the Police Department, to City Councilmembers, and on social media stating that this display was extremely loud and disturbing to residents especially since it took place mid-week on a school night. At this time, Chief Johnson has been in contact with the Fire District and they agreed to crosscheck the permit process so that the City of Chesterfield will be contacted for permit approval.

Chief Johnson informed the Committee members that in the past 30 years, the City has only had Fireworks Display requests for two events yearly: The Chamber of Commerce Concert in the Park, and the City of Chesterfield Fourth of July display. Discussion ensued of other restrictions that may be included in the City policy including, proximity to residential areas, restricted days of the week, actual time of an event, length of the event, and notification to residents.

After discussion, the Committee agreed that there should be no change to the process at this time but efforts shall be made to notify residents of upcoming displays by trustees' alerts and social media outlets. Chief Johnson will work closely with the Monarch Fire District to assure each permit is cross-referenced between the City and the Fire District.

IX. Next Meeting

There was no specific date set for the next meeting, but it is anticipated the next meeting will be in December 2019.

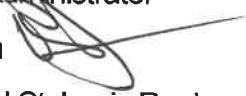
X. Adjournment

Having no further business, Chairperson Monachella adjourned the meeting at 6:35 PM.



Chesterfield Police Memorandum



Date: September 25, 2019
To: Mike Geisel, City Administrator
From: Chief Ray Johnson 
RE: 2020-2025 updated St. Louis Regional Hazard Mitigation Plan

The purpose of this memo is to advise you of the action of the Public Health and Safety Committee of Council and their recommendation for full council adoption by resolution of the updated St. Louis Regional Hazard Mitigation Plan.

The East-West Gateway Council of Governments has been updating the St. Louis Regional Hazard Mitigation Plan and has now completed a draft of that plan. F.E.M.A. requires all governing bodies to adopt this 2020-2025 Hazard Mitigation Plan by resolution in order to be eligible to apply for State and Federal grant funds for pre-disaster hazard mitigation.

At their meeting of Tuesday, Sept. 24, 2019 the Chesterfield Public Health and Safety Committee of Council endorsed the draft plan, and recommended full Council adoption of the plan by resolution. Our City adopted the prior, 2015-2020 plan but will need to adopt the new plan in order to remain eligible for pre-disaster mitigation funding.

I have attached a proposed resolution adopting the plan for Council consideration as endorsed by the Public Health and Safety Committee. The full 261 page 2020-2025 plan is available for review at www.ewgateway.org/hazardupdate. Please advise if you need anything further.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CHESTERFIELD ADOPTING THE ST. LOUIS REGIONAL HAZARD MITIGATION PLAN

WHEREAS, the City of Chesterfield recognizes the threat that natural hazards pose to people and property within the City of Chesterfield; and

WHEREAS, the City of Chesterfield has participated in the preparation of a multi- hazard mitigation plan, hereby known as the St. Louis Regional Hazard Mitigation Plan, hereafter referred to as the Plan, in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Chesterfield from the impacts of future hazards and disasters; and

WHEREAS, the City of Chesterfield recognizes that land use policies have a major impact on whether people and property are exposed to natural hazards, the City will endeavor to integrate the Plan into the comprehensive planning process and

WHEREAS, adoption by the City of Chesterfield demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Plan

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, AS FOLLOWS:

The City of Chesterfield hereby adopts the 2020 – 2025 St. Louis Regional Hazard Mitigation Plan, as updated by the East-West Gateway Council of Governments.

PASSED THIS DAY, October 7th, 2019, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHESTERFIELD

Presiding Officer

Mayor, Bob Nation

Attest:

Vickie McGownd, City Clerk

REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL

If you have any questions or require additional information, please contact me prior to Monday's meeting.

Liquor License Request

SYBERG'S CHESTERFIELD, 17416 CHESTERFIELD AIRPORT RD (formerly Fox a Hound) has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise & packaged, and Sunday sales. Mr. Kirk Syberg is the Managing Officer. This application was reviewed and approved by both The Police Department and the Planning/Development Services Division of The Department of Public Services. With City Council approval of the Monday, October 7, 2019 City Council meeting, I will immediately issue this license.

Special Counsel Agreements

1. Harris, Dowell, Fisher & Young L.L.C. (Michael Harris)
2. Armstrong Teasdale L.L.P. (Rob Klahr)

As you are aware, the City engages special counsel on specific legal matters on an as needed basis. We currently have special counsel agreements with Harris, Dowell, Fisher & Young L.L.C., who we consult with for labor related issues; and we also contract with Armstrong Teasdale L.L.P. for development, financing and economic development related issues. Staff has previously committed to review these on a bi-annual basis and periodically request re-authorization. As such, I am requesting that City Council authorize execution of the special Council agreements with Harris, Dowell, Fisher & Young L.L.C. (Michael Harris) and Armstrong Teasdale L.L.P. (Rob Klahr). A roll call vote is required.



MEMORANDUM

DATE: September 13, 2019

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST –
SYBERG’S CHESTERFIELD Relocating within Chesterfield**

SYBERG’S CHESTERFIELD, 17416 CHESTERFIELD AIRPORT RD (formerly Fox & Hound), has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise + packaged, and Sunday sales.

Mr. Kirk Syberg is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Planning/Development Services Division of the Department of Public Services.

With City Council approval at the Monday, October 7, 2019 City Council meeting, I will immediately issue this license.

SPECIAL COUNSEL AGREEMENT

THIS SPECIAL COUNSEL AGREEMENT ("Agreement") is made by and between the City of Chesterfield, Missouri, a municipal subdivision of the third class organized under the laws of the State of Missouri (the "City"), and **Harris Dowell Fisher & Young L.C.**, a Missouri limited liability corporation, whose address is: 15400 S. Outer Forty, Chesterfield, MO 63017 ("Special Counsel"), collectively referred to as "the Parties".

In consideration of the mutual agreements contained in this Agreement, and subject to the terms and conditions stated in this Agreement, the Parties agree as follows:

I. COORDINATION WITH CITY STAFF:

To provide the best possible legal representation and reduce costs and expenses, Special Counsel agrees whenever possible to utilize City staff and personnel. As directed by the City Administrator or the City Administrator's designated representative, Special Counsel agrees to utilize and coordinate with any City staff member or consultant retained by the City on matters related to Special Counsel's work. When requested, Special Counsel shall submit to the City Administrator budgets, work plans and case plans in such form as may be required by the City Administrator.

II. PROFESSIONAL SERVICES PERFORMED:

Special Counsel shall provide professional legal services in conformance with the Missouri Rules of Professional Conduct, to serve as counsel for special legal matters and services, as necessary and directed by the City Administrator or the City Administrator's designated representative, for labor and employment issues (the "Work"). Any new or supplementary special counsel agreements shall be approved as provided by the laws of the state of Missouri and ordinances of the City. **Michael Harris** shall serve as designated Special Counsel and shall direct the provisions of services under this Agreement. Special Counsel shall supply the City with a copy of all documents prepared by Special Counsel or any approved subcontractor hired by Special Counsel under this Agreement.

III. FEES:

Charges for legal services shall be based solely on the amount of time spent by attorneys and legal assistants in performing the Work, unless otherwise agreed to in writing. Special Counsel may charge the City at the hourly rates of the attorneys and legal assistants as set forth below:

- | | | |
|----|--|------------------|
| 1. | Partners, Principles and/or of Counsels: | \$275.00; |
| 2. | Associate Attorneys: | \$275.00; |
| 3. | Legal Assistants/Paralegals: | \$85.00. |

Special Counsel and City agree that bond counsel, special projects, special investigations and litigation may arise from time to time requiring an additional legal services agreement for terms of said service. Special Counsel will bill the City on a monthly basis for professional fees and expenses incurred on the City's behalf and bills will be

addressed to the City for payment. Any expense or costs, except routine photocopying and travel within the State of Missouri, must be pre-approved in writing by the City Administrator prior to the incurrence. Preapproval from the City Administrator or his designee shall be required for more than one attorney or an attorney and paralegal to attend meetings, court appearance, trials, hearings, mediations and arbitration proceedings.

IV. ANNUAL APPROPRIATION:

The City's payment obligation, whether direct or contingent, extends only to funds appropriated annually or by special appropriation by the Chesterfield City Council encumbered for the purpose of this Agreement. The City does not, by this Agreement, irrevocably pledge present cash reserves for payment or performance in future fiscal years. This Agreement does not and is not intended to create a multiple-fiscal year direct or indirect debt or financial obligation of the City.

V. TERM AND TERMINATION:

Because the need for Special Counsel arises from time to time, this Agreement shall commence upon execution and terminate at any time by the City, with or without cause. Termination shall be subject to the Court's consent, if such is required. If Special Counsel is terminated, he or she shall be paid only for that portion of services satisfactorily completed in accordance with this Agreement at the time of notice of such action. The City shall provide 10 days prior written notice of termination to Special Counsel to allow the transition of files and matters to the City Administrator's designee.

VI. CONFLICTS:

a. No employee of the City shall have any personal or beneficial interest in the services described in this Agreement. Special Counsel shall not hire, or contract for the services with any employee or officer of the City without the prior written approval of the Mayor and City Council.

b. Special Counsel acknowledges that it and its attorneys are bound by the Missouri Rules of Professional Conduct applicable to Missouri attorneys, including without limitation Rule 4, which addressed a lawyer's engagement under circumstances involving a conflict of interest. Special Counsel shall not engage in any transactions, activity or conduct that would result in a conflict of the City's interest. Special Counsel represents that it has disclosed all current or potential conflicts of interest, which shall include transactions, activities or conduct that would affect the judgment, actions or work of the Special Counsel by placing the Special Counsel's own interest, or the interest of any party with whom Special Counsel has a professional relationship or contractual arrangement in conflict with those of the City. Special Counsel agrees that they will not undertake to represent an existing client on new matters or new clients if the interest of such clients is directly adverse to the City without the prior written approval of the City Administrator.

VII. CLIENT FILES:

Special Counsel shall employ physical, electronic, and procedural safeguards to preserve client confidentiality and to protect the City's non-public information. Special Counsel

agrees to retain and securely store the City's files for a period of five (5) years after completion or termination of representation. Special Counsel shall return all files within a reasonable time after termination of representation or conclusion of the Special Counsel matter, but in no event later than thirty (30) days of written demand from the City. The City Administrator or his designee has the right to access and the right to examine any pertinent books, documents, papers and records of Special Counsel upon reasonable notice to Special Counsel.

VIII. E-MAIL CONFIDENTIALITY:

Missouri lawyers are required by the Missouri Bar Disciplinary Council to notify prospective recipients of email that (1) email communication is not a secure method of communication, (2) any email that is sent by any City employee may be copied and held by various computers it passes through as it goes from Special Counsel to a City representative or vice versa, and (3) persons not participating in City/Special Counsel communications may intercept said communications by improperly accessing City computers or Special Counsel's computers or even some computer unconnected to either the City or Special Counsel that the email passes through. Unless otherwise instructed in writing, Special Counsel will assume that the City has consented to receive communications via e-mail. If the City Administrator changes his mind and wants future communication to be sent by a different method, the City Administrator or his designee will contact Special Counsel in writing and notify Special Counsel.

IX. WHEN RIGHTS AND REMEDIES NOT WAIVED:

In no event will any payment or other action by the City constitute or be construed as a waiver by the City of any breach of covenant or default that may then exist on the part of Special Counsel. No payment, or other action, or inaction by the City when any breach or default exists will impair or prejudice any right or remedy available to it with respect to any breach or default. No assent, expressed or implied, to any breach of any term of the Agreement constitutes a waiver of any other breach.

X. INSURANCE:

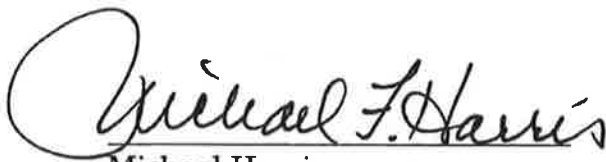
Special Counsel agrees to secure, at or before the time of execution of this Agreement, insurance covering all operations, goods or services provided pursuant to this Agreement. Special Counsel shall keep the required minimum insurance coverage in force at all times during the term of this Agreement, or any extension thereof, for three (3) years after the termination of the Agreement. Special Counsel shall be responsible for the payment of any deductible or self-insured retention. The insurance coverage specified herein are minimum requirements and these requirements do not lessen or limit the liability of Special Counsel. Special Counsel shall maintain limits of \$1,000,000.00 per claim and \$1,000,000.00 policy aggregate limit professional liability insurance. Special Counsel shall maintain any and all other Commercial General Liability, Business Automobile Liability and Workman's Compensation insurance policies as required by the City Administrator. For Professional Liability policies, Special Counsel's insurer shall waive subrogation rights against the City.

XI. NO AUTHORITY TO BIND CITY TO CONTRACTS:

Special Counsel lacks any authority to bind the City on any contractual matters. Final approval of all matters that purport to obligate the City must be executed by the City in accordance with State statute, City ordinances and City policies.

XII. COMPLIANCE WITH ALL LAWS:

Special Counsel shall perform or cause to be performed all services in full compliance with all applicable laws, rules, regulations and codes of the United States and the State of Missouri; and with the Chesterfield's City Code, ordinances, rules and policies of the City.



Michael Harris

By Michael F. Harris

Title Partner

Bob Nation, Mayor

By _____

Title _____

ATTEST:

DATE: _____

SPECIAL COUNSEL AGREEMENT

THIS SPECIAL COUNSEL AGREEMENT (“Agreement”) is made by and between the City of Chesterfield, Missouri, a municipal subdivision of the third class organized under the laws of the State of Missouri (the “City”), and **Armstrong Teasdale LLP**, a Missouri limited liability partnership, whose address is: 7700 Forsyth Blvd., Suite 1800, St. Louis, MO 63105 (“Special Counsel”), collectively referred to as “the Parties”.

In consideration of the mutual agreements contained in this Agreement, and subject to the terms and conditions stated in this Agreement, the Parties agree as follows:

I. COORDINATION WITH CITY STAFF:

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II. PROFESSIONAL SERVICES PERFORMED:

Special Counsel shall provide professional legal services in conformance with the Missouri Rules of Professional Conduct, to serve as counsel for special legal matters and services, as necessary and directed by the City Administrator or the City Administrator’s designated representative, for preliminary or exploratory matters involving the use of state and local tax incentives for development projects within the City (the “Work”), provided that if any project moves beyond the pre-development stage, it is anticipated that such matter will be the subject of a new engagement that is outside the scope of this Agreement. Any new or supplementary special counsel agreements shall be approved as provided by the laws of the state of Missouri and ordinances of the City. **Robert Klahr** shall serve as designated Special Counsel and shall direct the provisions of services under this Agreement. Special Counsel shall supply the City with a copy of all documents prepared by Special Counsel or any approved subcontractor hired by Special Counsel under this Agreement.

III. FEES:

Charges for legal services shall be based solely on the amount of time spent by attorneys and legal assistants in performing the Work, unless otherwise agreed to in writing. Special Counsel may charge the City at the hourly rates of the attorneys and legal assistants as set forth below:

- | | | |
|----|--|------------------|
| 1. | Partners, Principals and/or of Counsels: | \$350.00; |
| 2. | Associate Attorneys: | \$285.00; |
| 3. | Legal Assistants/Paralegals: | \$195.00. |

Special Counsel and City agree that bond counsel, special projects, special investigations and litigation may arise from time to time requiring an additional legal services

agreement for terms of said service. Special Counsel will bill the City on a monthly basis for professional fees and expenses incurred on the City's behalf and bills will be addressed to the City for payment. Any expense or costs, except routine photocopying and travel within the State of Missouri, must be pre-approved in writing by the City Administrator prior to the incurrence. Preapproval from the City Administrator or his designee shall be required for more than one attorney or an attorney and paralegal to attend meetings, court appearance, trials, hearings, mediations and arbitration proceedings.

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a. No employee of the City shall have any personal or beneficial interest in the services described in this Agreement. Special Counsel shall not hire, or contract for the services with any employee or officer of the City without the prior written approval of the Mayor and City Council.

b. Special Counsel acknowledges that it and its attorneys are bound by the Missouri Rules of Professional Conduct applicable to Missouri attorneys, including without limitation Rule 4, which addressed a lawyer's engagement under circumstances involving a conflict of interest. Special Counsel shall not engage in any transactions, activity or conduct that would result in a conflict of the City's interest. Special Counsel represents that it has disclosed all current or potential conflicts of interest, which shall include transactions, activities or conduct that would affect the judgment, actions or work of the Special Counsel by placing the Special Counsel's own interest or the interest of any party with whom Special Counsel has a professional relationship or contractual arrangement in conflict with those of the City. Special Counsel agrees that it will not undertake to represent an existing client on new matters or new clients if the interest of such clients is directly adverse to the City without the prior written approval of the City Administrator.

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Special Counsel shall employ physical, electronic, and procedural safeguards to preserve

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Missouri lawyers are required by the Missouri Bar Disciplinary Counsel to notify prospective recipients of email that (1) email communication is not a secure method of communication, (2) any email that is sent by any City employee may be copied and held by various computers it passes through as it goes from Special Counsel to a City representative or vice versa, and (3) persons not participating in City/Special Counsel communications may intercept said communications by improperly accessing City computers or Special Counsel's computers or even some computer unconnected to either the City or Special Counsel that the email passes through. Unless otherwise instructed in writing, Special Counsel will assume that the City has consented to receive communications via e-mail. If the City Administrator changes his mind and wants future communication to be sent by a different method, the City Administrator or his designee will contact Special Counsel in writing and notify Special Counsel.

IX. WHEN RIGHTS AND REMEDIES NOT WAIVED:

In no event will any payment or other action by the City constitute or be construed as a waiver by the City of any breach of covenant or default that may then exist on the part of Special Counsel. No payment, or other action, or inaction by the City when any breach or default exists will impair or prejudice any right or remedy available to it with respect to any breach or default. No assent, expressed or implied, to any breach of any term of the Agreement constitutes a waiver of any other breach.

X. INSURANCE:

Special Counsel agrees to secure, at or before the time of execution of this Agreement, insurance covering all operations, goods or services provided pursuant to this Agreement. Special Counsel shall keep the required minimum insurance coverage in force at all times during the term of this Agreement, or any extension thereof, for three (3) years after the termination of the Agreement. Special Counsel shall be responsible for the payment of any deductible or self-insured retention. The insurance coverage specified herein are minimum requirements and these requirements do not lessen or limit the liability of Special Counsel. Special Counsel shall maintain limits of \$1,000,000.00 per claim and \$1,000,000.00 policy aggregate limit professional liability insurance. Special Counsel shall maintain any and all other Commercial General Liability, Business Automobile Liability and Workman's Compensation insurance policies as required by the City Administrator. For Professional Liability policies, Special Counsel's insurer shall waive subrogation rights against the City.

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Special Counsel shall perform or cause to be performed all services in full compliance with all applicable laws, rules, regulations and codes of the United States and the State of Missouri; and with the Chesterfield's City Code, ordinances, rules and policies of the City.

ARMSTRONG TEASDALE LLP

CITY OF CHESTERFIELD, MISSOURI

By: _____
Robert Klahr, Partner

By: _____
Bob Nation, Mayor

Date: _____

ATTEST:

DATE: _____

OTHER LEGISLATION

There is no “Other Legislation” scheduled for Council action at Monday’s meeting.

UNFINISHED BUSINESS

There are no unfinished action items on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Monday’s meeting.

NEW BUSINESS

There are no new business action items on the agenda for this meeting.

If you have any questions or require additional information, please contact me prior to Monday’s meeting.

RESOLUTION NO. 456

A RESOLUTION CALLING ON THE ST. LOUIS COUNTY COUNCIL TO HOLD PUBLIC HEARINGS AND PUBLICLY VET THE COUNTY EXECUTIVE'S SLATE OF NOMINEES TO THE BOARD OF FREEHOLDERS/ELECTORS.

WHEREAS, Article VI, Section 30 of the Missouri Constitution provides for the formation of a Board of Freeholders/Electors; and

WHEREAS, On September 18, 2017 the City Council unanimously approved Resolution #440, which opposed any and all legislation authorizing a statewide vote regarding or mandating a change in the government structure of St. Louis City and St. Louis County and the municipalities therein; and

WHEREAS, On March 4, 2019 the City unanimously approved Resolution #452 opposing initiative petition 2020-042 regarding a proposed amendment to Article VI of the Missouri Constitution and expressing support for a petition providing for the Board of Freeholders/Electors; and

WHEREAS, St. Louis County Executive Sam Page has made nominations to the Board of Freeholders/Electors as provided in Article VI, section 30(a)(5) of the Missouri Constitution; and

WHEREAS, Article VI, section 30(a)(5) of the Missouri Constitution also provides that St. Louis County Executive's nominees be approved by a majority of the County Council; and

WHEREAS, the Mayor and City Council of the City of Chesterfield are concerned that some of the County Executive's nominees may have prior ties to or may have supported initiative petition 2020-42; and

WHEREAS, the Mayor and City Council of the City of Chesterfield believe that it is in the best interest of all the citizens of St. Louis County, regardless of municipal boundary, to have a transparent and public process to approve the County Executive's nominations; and

WHEREAS, the Mayor and City Council hereby call upon the County Council to have public hearings and conduct a public vetting process of the County Executive's nominations to the Board of Freeholders/Electors; and

WHEREAS, The Mayor and City Council of the City of Chesterfield strongly supports its citizens and are determined to preserve and protect the freedom, independence, integrity and self-determination provided by the municipal government that the citizens voted overwhelmingly to adopt 31 years ago.

NOW, THEREFORE, BE IT RESOLVED that the City of Chesterfield respectfully requests that the St. Louis County Council hold public hearings and conduct a public vetting process of the County Executive's nominations to assure the citizens of Chesterfield and all the citizens of St. Louis County that the nominees can lawfully and fully fulfill their duties, that they can conduct themselves in a transparent and ethical way, that they are free from any connection or relationship to initiative petition 2020-42 and that they represent the best interests of all citizens of St. Louis County.

PASSED THIS DAY, OCTOBER 7TH, 2019, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHESTERFIELD

Presiding Officer

Bob Nation, Mayor

Attest:

Vickie McGownd, City Clerk