RECORD OF PROCEEDING

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

AUGUST 6, 2012

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

Mayor Bruce Geiger 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 Bruce Geiger	Councilmember Matt Segal
Councilmember Barry Flachsbart	
Councilmember Derek Grier	
Councilmember G. Elliot Grissom	
Councilmember Mike Casey	
Councilmember Randy Logan	
Councilmember Bob Nation	
Councilmember Connie Fults	

APPROVAL OF MINUTES

The minutes of the July 16, 2012 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Logan, to approve the City Council minutes. A voice vote was taken with an affirmative result (6-0-1 - Councilmember Grier "abstained") and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Geiger announced that the next meeting of City Council has been scheduled for Monday, August 20, at 7 p.m.

Mayor Geiger announced that the Chesterfield Police Department completed their bid for a third re-accreditation as an Internationally Accredited Police Department. Mayor Geiger congratulated Chief Ray Johnson and the Chesterfield Police Department on receiving their third Advanced Re-accreditation from the Commission on Accreditation for Law Enforcement (CALEA) and for receiving the highest honor of "Accreditation with Excellence" Award.

Mayor Geiger announced that six members of Chesterfield Police Explorer Post 9270 recently attended the July National Law Enforcement Exploring Conference and excelled in the "Shoot – Don't Shoot" competition. Mayor Geiger asked Chief Johnson to extend his congratulations to the Explorer Post for receiving a second place national ranking.

Mayor Geiger recognized the following Boy Scouts from Troop 809 who are working on their "Citizenship in the Community" badge: Tyler Sherman, Garrett Slosson, and Steven Fatzinger. Mayor Geiger invited the Scouts to meet with him, following the meeting, with any questions they might wish to ask.

COMMUNICATIONS AND PETITIONS

Mr. Mike Doster, attorney for the petitioner, stated he was available to answer any questions on Bill. No. 2896 [P.Z. 05-2012, CVPBA III (17298 and 17280 North Outer 40 Road)]. Councilmember Flachsbart stated that Mr. Doster and Planning and Development Services Director Aimee Nassif have suggested wording for an amendment to Bill No. 2896, which he will offer as an amendment, later in the meeting. Mr. Doster said that he is in agreement with this proposed amendment.

Mr. Michael Perry, President of HBD Construction, stated he was available to answer any questions on Bill. No. 2896 [P.Z. 05-2012, CVPBA III (17298 and 17280 North Outer 40 Road)].

Mr. Greg Bratcher, Director of Policy Analysis for BJC HealthCare at 4901 Forest Park Avenue in St. Louis, spoke in opposition to Bill No. 2896 [P.Z. 05-2012, CVPBA III (17298 and 17280 North Outer 40 Road)]. He stated that the Missouri Hospital Association sent a letter to the City that quotes the Missouri law on what a hospital is and that this proposed facility will need to be licensed as a hospital. He noted that the City has explained that this a land use issue; however, he feels this issue is relevant, during the City's deliberations.

RE-APPOINTMENTS

Mayor Geiger nominated Mr. Steve Rothmel, from Ward II, for re-appointment to the Police Personnel Board. Councilmember Grier made a motion, seconded by Councilmember Grissom, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Rothmel's new three-year term will expire August 15, 2015.

Mayor Geiger next nominated Mr. Phil Folsom, from Ward IV, for re-appointment to the Police Personnel Board. Councilmember Fults made a motion, seconded by Councilmember Nation, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Folsom's new three-year term will expire August 15, 2015.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

In the absence of Finance and Administration Committee Chairperson Matt Segal, Councilmember Elliot Grissom, serving as "Acting Vice-Chairperson", reported that Bill No. 2894 (Re-Adopts Procedure for Disclosure of Conflict of Interests) will be considered for SECOND READING approval and adoption under the "Legislation" portion of the Agenda.

Planning and Public Works Committee

Councilmember Randy Logan, Chairperson of the Planning and Public Works Committee, reported that Bill No. 2896 [P.Z. 05-2012, CVPBA III (17298 and 17280 North Outer 40 Road)] and Bill No. 2897 [P.Z. 06-2012, Long Road (Long Road Dental)] will be read for the first time under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan next made a motion, seconded by Councilmember Grissom, to transfer $17,500 from General Fund Fund Reserves to cover the cost of advertising associated with an effort to change City ordinances to allow for stores to be open 24 hours on the Friday following Thanksgiving. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Logan next reported that Bill No. 2898 (Authorizes the City Administrator to Execute a Supplemental Agreement re: MoDOT Route 141) will be read for the first time under the "Legislation" portion of the Agenda.

Councilmember Logan announced that the next meeting of this Committee scheduled for Thursday, August 9, at 5:30 p.m. has been cancelled and rescheduled for Thursday, August 23, at 5:30 p.m.

Parks and Recreation Committee

Councilmember Bob Nation, Chairperson of the Parks and Recreation Committee, made a motion, seconded by Councilmember Flachsbart, to transfer $100,000 from the Parks Sales Tax Fund Fund Reserves for repairing/replacing various dugouts a the CVAC. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Nation reported that this Committee approved a recommendation from Staff to accept donations from individuals interested in purchasing commemorative pavers at the entrance to the Amphitheater and/or the Eberwein Dog Park. City Administrator Mike Herring said that the Parks Department has created multiple opportunities for individuals to contribute toward the costs of maintaining City parks by paying for commemorative items, such as trees being planted and benches being placed in parks. Mayor Geiger said that a few residents have made substantial contributions to benefit City parks and facilities.

Councilmember Nation next reported that this Committee authorized Staff to coordinate with MoDOT regarding the beautification enhancements for the new Daniel Boone Bridge. He stated the estimated cost of these enhancements is $200,000. Mr. Herring noted that a final recommendation will be brought back to this Committee, when the details have all been resolved.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently opened regarding the unloading and delivery of deicing salt to each of the participants in the St. Louis METRO Branch APWA Salt Cooperative. Based upon a review of the information provided by Public Works Director/City Engineer Brian McGownd, Mr. Herring joined with him in recommending award of a contract to Beelman Logistics, LLC, at a total cost of $8.38/ton, for unloading and delivery of deicing salt. Councilmember Logan made a motion, seconded by Councilmember Flachsbart, to award a contract to Beelman Logistics, LLC, at a total cost of $8.38/ton, for unloading and delivery of deicing salt. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2894 RE-ADOPTS THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605 OF THE CITY OF CHESTERFIELD AS THE PROCEDURE FOR

DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS **(SECOND READING; FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Grissom made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2894. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2894 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2894 with the following results: Ayes – Fults, Logan, Grissom, Casey, Grier, Nation and Flachsbart. Nays – None. Whereupon Mayor Geiger declared Bill No. 2894 approved, passed it and it became **ORDINANCE NO. 2713.**

BILL NO. 2898 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD, MISSOURI TO EXECUTE A SUPPLEMENTAL ENHANCEMENT AGREEMENT PROVIDING FOR LANDSCAPE ENHANCEMENTS AND THE MAINTENANCE THEREOF IN CONJUNCTION WITH THE CONSTRUCTION OF ROUTE 141 WITHIN THE CITY OF CHESTERFIELD **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2898. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2898 was read for the first time.

<u>LEGISLATION – PLANNING COMMISSION</u>

BILL NO. 2896 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2274 AND REPLACING IT WITH A NEW ORDINANCE TO ALLOW FOR CHANGES TO THE PERMITTED USE REQUIREMENTS AND ONE STRUCTURE SETBACK FOR A 6.172 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT LOCATED ON THE NORTH SIDE OF US HIGHWAY 40/INTERSTATE 64 IMMEDIATELY EAST OF ITS INTERSECTION WITH BOONE'S CROSSING. [P.Z. 05-2012 CVPBA III (17298 & 17280 NORTH OUTER 40 ROAD)] **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF THE ATTACHED GREEN SHEET AMENDMENT IS APPROVED)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2896. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2896 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Casey, to amend Bill No 2896, pursuant to the attached "Green Sheet." A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, to amend Bill No. 2896, as amended, on Page 2 of Attachment "A", "C-Setbacks", "1 – Structure Setbacks", to read as follows**:** "a. One hundred and sixty (160) feet from the right-of-way of North Outer Forty Road on the northern boundary of the "PC" Planned Commercial District. The canopy for said structure shall maintain a one hundred and forty (140) foot setback from the right-of-way of North Outer Forty Road on the northern boundary of the "PC" Planned Commercial District." Discussion ensued. Mayor Geiger re-read Councilmember Flachsbart's proposed amendment. Discussion ensued. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2897 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2510 AND REPLACING IT WITH A NEW ORDINANCE TO ALLOW FOR CHANGES TO THE PERMITTED USE REQUIREMENTS FOR A 0.5 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT LOCATED 0.1 MILE SOUTH OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND LONG ROAD. [P.Z. 06-2012 143 LONG ROAD (LONG ROAD DENTAL)] **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Grier, for the first reading of Bill No. 2897. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2897 was read for the first time.

ADJOURNMENT

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:27 p.m.

Mayor Bruce Geiger

ATTEST:

Judith A. Naggiar, City Clerk