



RECORD OF PROCEEDING

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

AUGUST 4, 2014

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

Mayor Bob Nation
Councilmember Barry Flachsbart
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Connie Fults

ABSENT

Councilmember Nancy Greenwood
Councilmember Bruce DeGroot

APPROVAL OF MINUTES

The minutes of the July 21, 2014 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Flachsbart, 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 announced that the next meeting of City Council has been scheduled for Wednesday, September 3, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mayor Nation recognized several scouts in attendance from Troop #848 and invited them to stay after the meeting, to ask any questions they may have.

Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, spoke giving details about Bill No. 2989 (Chesterfield Valley NE Interchange). He also stated he was available to answer questions related to Bill No. 2987 (Chesterfield Blue Valley).

Mr. Dean Wolfe, Wolfe Properties LLC, 7711 Bonhomme Avenue, Clayton, stated he was available to answer questions related to Bill No. 2987 (Chesterfield Blue Valley).

Former Councilmember Mary Brown, who resides at 62 Chesterfield Lakes, who currently serves as President of the Chesterfield Arts Board of Directors, reaffirmed the offer, by Chesterfield Arts, to sell the two horse sculptures, located in front of City Hall, to the City. She noted that the sculptures are currently valued significantly higher than the asking price, of \$250,000.

Mr. Mike Doster, DosterUllom, LLC, 16090 Swingley Ridge, spoke regarding Bill No. 2989 (Chesterfield Valley NE Interchange). He also stated he was available to answer questions related to Chesterfield Arts.

Ms. Wendy Geckeler, who resides at 26 Chesterfield Lakes, spoke in support of the City purchasing two (2) horse sculptures located in front of City Hall, from Chesterfield Arts.

Ms. Janet Strate, who resides at 16830 Crystal Springs, spoke in support of the City purchasing two (2) horse sculptures located in front of City Hall, from Chesterfield Arts.

Former Mayor Bruce Geiger, who resides at 14787 Greenloch, stated he was available to answer questions related to Chesterfield Arts.

Mr. Jack Hynes, who resides at 830 Brae, spoke in opposition to a public purchase of two (2) horse sculptures located in front of City Hall.

Mr. Richard Corbet, who resides at 1359 Parkview Estates in Ellisville, inquired about the status of the Master Arts Plan. Mayor Nation responded by stating that the Master Arts Plan has been adopted by the City. Mr. Corbet asked whose responsibility it is to come up with a business plan for Chesterfield Arts. Mayor Nation responded by saying it is the responsibility of Chesterfield Arts to come up with a plan going forward. Chesterfield Arts is a separate entity and has no relationship with the City other than a contractual one to provide services.

Former Councilmember Alan Politte, who resides at 14972 Manor Ridge, reminded everyone of his long-term support for the Arts and urged the City to take time to carefully study all options for the continued support of the Arts, in Chesterfield.

APPOINTMENTS

Mayor Nation nominated Ms. Jeannie Rader, 362 Shetland Valley Court (Ward 4), to serve as a member of the Board of Adjustment. He noted that, per City Council policy, Ms. Rader was interviewed by the P/PW Committee of City Council and that that Committee, along with the Ward 4 Councilmembers, had unanimously endorsed her appointment. Councilmember Fults made a motion, seconded by Councilmember Flachsart, to approve this appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Rader's initial term will expire August 4, 2019.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Derek Grier, Chairperson of the Finance and Administration Committee, reported that Bill No. 2988 (Disclosure of Conflicts for Certain Municipal Officials) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Grier reported that Bill No. 2990 (Refinancing of 2009 Certificates of Participation) will be read for the first time under the "Legislation" portion of the agenda.

Planning/Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2987 (Chesterfield Blue Valley [Simon Woodmont Development, LLC/Chesterfield Blue Valley, LLC]) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Hurt reported that Bill No. 2989 (Chesterfield Valley NE Interchange [CVPBA III]) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to modify Public Works Policy No. 53 (Snow Removal for Private Driveways within Public Right-of-way) to implement a one-year test program of windrow removal for those who have handicapped license plates or placards and for those with a certified medical waiver. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to approve Resolution No. 406 (All Hazard Mitigation Plan). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, August 7, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Michael Herring indicated that he had no report this evening.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Councilmember Fults made a motion to purchase the two (2) horse sculptures located in front of City Hall, from Chesterfield Arts, at a total purchase price of \$250,000, with funding coming from General Fund Fund Reserves. There was no second to her motion and Mayor Nation declared the motion failed.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to direct Staff to look at the feasibility of having an in-house “Arts Manager” to work with Community Arts partners to continue to provide services, similar to those currently provided by Chesterfield Arts, staying within a similar budget to what is currently being paid to that organization. That amount currently totals \$100,000/year.

City Attorney Rob Heggie stated that, since a vote on this subject was not included on the AGENDA, which was published in advance for tonight’s meeting, it would not be appropriate for a vote to be taken. He suggested that Councilmembers Hurt and Flachsbart remove their motion and second.

Extensive discussion ensued and each Councilmember made comments indicating their support of the Arts, and Chesterfield Arts in particular. Councilmembers Flachsbart and Fults each stated that the entire Council needs to have a discussion regarding this matter and it should not be sent to Committee, where only half of the Council would have the ability to vote on a recommendation.

Councilmember Hurt withdrew his motion to direct Staff to look at the feasibility of hiring an in-house arts manager, and Councilmember Flachsbart withdrew his second on this motion.

Council ultimately reached a consensus that there should be a Committee-of-the-Whole meeting to discuss how the City can best support the Arts. The meeting should also include Chesterfield Arts and pertinent Staff. The City Administrator and Staff were

directed to prepare a variety of alternatives for consideration by City Council and to find a date/time when everyone noted above could attend.

LEGISLATION

BILL NO. 2988 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 (FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE)

Councilmember Grier made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2988. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2988 was read for the first time.

BILL NO. 2990 AUTHORIZES THE CITY OF CHESTERFIELD, MISSOURI TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF REFUNDING THE OUTSTANDING CERTIFICATES OF PARTICIPATION (CITY OF CHESTERFIELD, MISSOURI, LESSEE), SERIES 2009A AND THE TAXABLE CERTIFICATES OF PARTICIPATION (CITY OF CHESTERFIELD, MISSOURI, LESSEE) (BUILD AMERICA BONDS – DIRECT PAYMENT TO CITY), SERIES 2009B; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH (FIRST READING; F&A COMMITTEE RECOMMENDS APPROVAL)

Councilmember Grier made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2990. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2990 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2987 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2612 TO MODIFY DEVELOPMENT CRITERIA FOR A 137.606 ACRE TRACT OF LAND ZONED “PC” PLANNED COMMERCIAL DISTRICT LOCATED ON THE NORTH SIDE OF OLIVE STREET ROAD, WEST OF ITS INTERSECTION WITH CHESTERFIELD AIRPORT ROAD. (P.Z. 04-2014 CHESTERFIELD BLUE VALLEY - 17W630058, 16W220010, 16W210044, 17W530190) (SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2987. A voice vote was taken with a unanimous affirmative result

and the motion was declared passed. Bill No. 2987 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2987 with the following results: Ayes – Casey, Flachsbart, Fults, Grissom, Hurt and Grier. Nays – None. Whereupon Mayor Nation declared Bill No. 2987 approved, passed it and it became **ORDINANCE NO. 2805.**

BILL NO. 2989 REPEALS CITY OF CHESTERFIELD ORDINANCE
NUMBER 2715 TO MODIFY DEVELOPMENT CRITERIA FOR
A 6.172 ACRE TRACT OF LAND ZONED “PC” PLANNED
COMMERCIAL DISTRICT LOCATED NORTH OF US
HIGHWAY 40/INTERSTATE 64, IMMEDIATELY EAST OF
ITS INTERSECTION WITH BOONES CROSSING (P.Z. 01-2014
CHESTERFIELD VALLEY NE INTERCHANGE CVPBA III –
17U620172, 17U620183) **(FIRST READING; PLANNING
COMMISSION RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2989. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2989 was read for the first time.

ADJOURNMENT

Mayor Nation entertained a motion to reconvene into Executive Session. Councilmember Flachsbart made a motion, seconded by Councilmember Grier, to go into closed session, pursuant to RSMo 610.021(1), for the purpose of allowing for confidential communication among the City Attorney and the City’s elected officials, regarding litigation and other matters. A roll call vote was taken with the following results: Ayes – Grissom, Casey, Grier, Fults, Hurt and Flachsbart. Nays – None. Whereupon, Mayor Nation declared the motion passed.

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:29 p.m. and indicated that there would be a ten minute recess, before resuming the Executive Session.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk

