



RECORD OF PROCEEDING

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

JULY 17, 2017

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 Ben Keathley
Councilmember Guy Tilman
Councilmember Dan Hurt
Councilmember Randy Logan
Councilmember Tom DeCampi
Councilmember Michelle Ohley

APPROVAL OF MINUTES

The minutes of the June 19, 2017 City Council meeting were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Logan, to approve the City Council minutes. A voice vote was taken with an affirmative result (Councilmember Flachsbart abstained) and the motion was declared passed.

The minutes of the June 19, 2017 Executive Session were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Logan, to approve the Executive Session minutes. A voice vote was taken with an affirmative result (Councilmember Flachsbart abstained) and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Warren Lantz, 1833 Canyon View Court, spoke in support of law enforcement spending in relation to Proposition P revenues.

Mr. Brian Voyles, Chesterfield Chamber of Commerce, spoke on behalf of Chamber of Commerce Board of Directors expressing their dissatisfaction with Council's vote of June 5, 2017 related to the proposed Power Plex Development.

Mr. Andy Shanfeld, 171 Henning Drive, spoke and submitted a letter in opposition to the closure of River Valley Drive.

Mr. John Hammond, 1203 Walnut Hill Farm Drive, expressed disappointment in the appointment of a non-resident of the City to the Community Improvement District board.

Mr. Brendan Hollier stated he was available to answer questions related to Bill No. 3160 (P.Z. 18-2016 17511 Chesterfield Airport Road [Palio Partners]).

Mr. Eric Kirchner stated he was available to answer questions related to Bill No. 3160 (P.Z. 18-2016 17511 Chesterfield Airport Road [Palio Partners]).

INTRODUCTORY REMARKS

Mayor Nation read a statement regarding Proposition P spending.

Mayor Nation announced that a special City Council meeting has been scheduled for Monday, July 31, at 5:30 p.m.

Mayor Nation announced that the next regularly scheduled meeting of City Council will be held on Monday, August 7, at 7 p.m.

APPOINTMENTS

Ordinance No. 2698 requires the Mayor to appoint Directors, with the consent of City Council, from a slate of candidates proposed by the Chesterfield Blue Valley Community Improvement District (CBV-CID) Board. Mayor Nation nominated Ms. Debbie Mueller to fill the vacancy on the CBV-CID. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to approve this appointment. A roll call vote was taken with the following results: Ayes – Logan, Hurt, Tilman and Flachsbart. Nays – Ohley, DeCampi, Keathley and McGuinness. Mayor Nation voted "Aye" to break the tie and declared the motion passed.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Guy Tilman, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3160 (P.Z. 18-2016 17511 Chesterfield Airport Road [Palio Partners]) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3161 (Whitestone Farm [Lots 15 and 16] Boundary Adjustment Plat) is scheduled for both first and second reading approval under the "Legislation – Planning commission" portion of the agenda.

Councilmember Tilman announced that the next meeting of this Committee has been scheduled for Thursday, July 20, at 5:45 p.m.

Finance and Administration Committee

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, made a motion by direction of the committee, to approve the 2018 City Council Proposed Meeting Schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion by direction of the committee, to approve the budget workshop calendar for 2017. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion by direction of the committee, to approve acceptance of the 2016 audit as submitted by Daniel Jones & Associates. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi made a motion by direction of the committee, to approve a proposed resolution authorizing participation in the BuyBoard Purchasing Cooperative. The co-op was developed to comply with state laws that require governmental entities to make purchases from an approved list of vendors who have gone through a competitive procurement process. Participation in the co-op does not obligate the City to make any purchase and there is no cost involved. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The successful resolution became Chesterfield Resolution No. 438.

Councilmember DeCampi made a motion by direction of the committee, to direct staff to manually add prior year actual and current year budgeted payments for the City Attorney, Prosecuting Attorneys and Judge to the on-line Transparency Portal with a note indicating that these are contractual salaries. A roll call vote was taken with the

following results: Ayes – DeCampi, Ohley, Hurt, Keathley, McGuinness and Tilman. Nays – Flachsbart and Logan. Whereupon Mayor Nation declared the motion passed.

Councilmember DeCampi made a motion, seconded by Councilmember McGuinness, to implement and fund live streaming of City Council and Planning Commission meetings at an initial cost of \$45,850 and approximately \$13,000 annually thereafter, with anticipated equipment replacement being necessary at four to five year intervals. Councilmember McGuinness made a motion, seconded by Councilmember Keathley, to amend the original motion to send it back to the Finance & Administration Committee at some point in the future. A roll call vote was taken on the motion as amended, with the following results: Ayes – Keathley, DeCampi, McGuinness, Ohley, Hurt and Tilman. Nays – Logan and Flachsbart. Whereupon Mayor Nation declared the amended motion passed.

Councilmember DeCampi reported that Bill No. 3082 (An ordinance amending ordinance 7 pertaining to the Mayor's obligation to perform the City Administrator's duties) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3083 (An ordinance amending sections 2-74 and 2-80 of the City Code pertaining to the City Administrator's duties and authority) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3084 (An ordinance amending section 2-5 of the City Code pertaining to notice of liability claims) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3085 (An ordinance amending section 2-29 of the City Code pertaining to duties and powers of the Mayor and City Council) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3086 (An ordinance amending ordinance 12, ordinance 528 and section 2-47 of the City Code pertaining to scheduling of regular meetings of City Council) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3087 (An ordinance amending section 2-50 of the City Code pertaining to rules of procedure for the Mayor and City Council) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3088 (An ordinance amending section 2-82 of the City Code pertaining to the appointment of the City Administrator during temporary absences) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember DeCampi reported that Bill No. 3089 (An ordinance amending section 2-91 of the City Code pertaining to the appointment of the City Clerk) will be considered for adoption under the "Legislation" portion of the agenda.

Parks, Recreation & Arts Committee

Councilmember Randy Logan, Chairperson of the Parks, Recreation & Arts Committee, announced that the next meeting of this Committee has been scheduled for Tuesday, August 1, at 5:30 p.m.

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, stated that the committee met earlier this evening, and indicated that the next meeting has not yet been scheduled.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Staff is recommending award of a contract for construction of the Schoettler Road Bridge Replacement project which is primarily funded by a Federal grant. Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to Gershenson Construction Company Incorporated in an amount not to exceed \$1,510,000. This project is grant funded with a reimbursement of up to \$1,208,000 expected through the BRM Project. Funding for this project (up to \$1,800,000) was included in the 2018 budget. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to approve this recommendation. A roll call vote was taken with the following results: Ayes – McGuinness, DeCampi, Ohley, Keathley, Flachsbart, Hurt, Tilman and Logan. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported Bill No. 3162 (Annual Conflict of Interest Policy) will be considered for adoption under the "Legislation" portion of the agenda.

Mr. Geisel reported that Summit will be placing a loan on a portion of its property and plans to pledge Notes from the North Outer 40 Transportation Development District it will have for the project as collateral for the loan. Parkside Bank, Summit's lender, has asked for a consent from the City to the pledge of the TDD Notes and the rights of Summit under the Development Agreement. City Attorney Chris Graville has worked with Summit's counsel and has amended the Consent Agreement to acknowledge that Summit (the "Developer") is assigning the consideration provided within the Redevelopment Agreement to its lender and that the City will accept performance by the lender under the same terms and conditions as required of the Developer. The consent

agreement terminates upon full satisfaction of the debt to the lender. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to approve execution of the Consent Agreement. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

LEGISLATION

**BILL NO. 3082 AMENDS ORDINANCE 7 PERTAINING TO THE MAYOR'S
OBLIGATION TO PERFORM THE CITY ADMINISTRATOR'S
DUTIES (SECOND READING) (F&A COMMITTEE
OPPOSES)**

Councilmember DeCampi made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3082. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3082 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3082 with the following results: Ayes – None. Nays – DeCampi, Ohley, Flachsbart, Hurt, McGuinness, Tilman, Logan and Keathley. Whereupon Mayor Nation declared Bill No. 3082 failed.

**BILL NO. 3083 AMENDS SECTIONS 2-74 AND 2-80 OF THE CITY CODE
PERTAINING TO THE CITY ADMINISTRATOR'S DUTIES
AND AUTHORITY (SECOND READING) (F&A
COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember DeCampi made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3083. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3083 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3083 with the following results: Ayes – McGuinness, Keathley, Flachsbart, DeCampi, Logan, Hurt, Ohley and Tilman. Nays – None. Whereupon Mayor Nation declared Bill No. 3083 approved, passed it and it became **ORDINANCE NO. 2962**.

**BILL NO. 3084 AMENDS SECTION 2-5 OF THE CITY CODE PERTAINING TO
NOTICE OF LIABILITY CLAIMS (SECOND READING) (F&A
COMMITTEE RECOMMENDS APPROVAL)**

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3084. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3084 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3084 with the following results: Ayes – Keathley, Hurt, Tilman, Ohley, Logan, Flachsbert, DeCampi and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3084 approved, passed it and it became **ORDINANCE NO. 2963.**

BILL NO. 3085 AMENDS SECTION 2-29 OF THE CITY CODE PERTAINING TO DUTIES AND POWERS OF THE MAYOR AND CITY COUNCIL (SECOND READING) (F&A COMMITTEE RECOMMENDS APPROVAL)

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3085. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3085 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3085 with the following results: Ayes – Tilman, Ohley, DeCampi, Flachsbert, Hurt, Keathley, and Logan. Nays – McGuinness. Whereupon Mayor Nation declared Bill No. 3085 approved, passed it and it became **ORDINANCE NO. 2964.**

BILL NO. 3086 AMENDS ORDINANCE 12, ORDINANCE 528 AND SECTION 2-47 OF THE CITY CODE PERTAINING TO SCHEDULING OF REGULAR MEETINGS OF CITY COUNCIL (SECOND READING) (F&A COMMITTEE RECOMMENDS APPROVAL)

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3086. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3086 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3086 with the following results: Ayes – DeCampi, Hurt, Flachsbert, Tilman, McGuinness, Ohley, Logan and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3086 approved, passed it and it became **ORDINANCE NO. 2965.**

BILL NO. 3087 AMENDS SECTION 2-50 OF THE CITY CODE PERTAINING TO RULES OF PROCEDURE FOR THE MAYOR AND CITY COUNCIL (SECOND READING) (F&A COMMITTEE OPPOSES)

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3087. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3087 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 3087 with the following results: Ayes – None. Nays – Flachsbart, DeCampi, Keathley, McGuinness, Ohley, Logan, Hurt and Tilman. Whereupon Mayor Nation declared Bill No. 3087 failed.

BILL NO. 3088 AMENDS SECTION 2-82 OF THE CITY CODE PERTAINING TO THE APPOINTMENT OF THE CITY ADMINISTRATOR DURING TEMPORARY ABSENCES (SECOND READING) (F&A COMMITTEE OPPOSES)

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3088. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3088 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3088 with the following results: Ayes – None. Nays– Ohley, Keathley, Logan, McGuinness, Tilman, DeCampi, Hurt and Flachsbart. Whereupon Mayor Nation declared Bill No. 3088 failed.

BILL NO. 3089 AMENDS SECTION 2-91 OF THE CITY CODE PERTAINING TO THE APPOINTMENT OF THE CITY CLERK (SECOND READING) (F&A COMMITTEE RECOMMENDS APPROVAL)

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3089. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3089 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3089 with the following results: Ayes – Keathley, Hurt, Tilman, Ohley, Logan, Flachsbart, DeCampi and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3089 approved, passed it and it became **ORDINANCE NO. 2966**.

BILL NO. 3162 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)

Councilmember Logan made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3162. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3162 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 3160 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 13.01 ACRE TRACT OF LAND LOCATED NORTH OF CHESTERFIELD AIRPORT

ROAD, EAST OF LONG ROAD, WEST OF ARNAGE BLVD.,
AND SOUTH OF INTERSTATE 64/US 40 (P.Z. 18-2016 17511
CHESTERFIELD AIRPORT ROAD {PALIO PARTNERS}
17U510084) **GREEN SHEET AMENDMENT PROVIDED
(FIRST READING) (PLANNING COMMISSION
RECOMMENDS APPROVAL) (PLANNING & PUBLIC
WORKS COMMITTEE RECOMMENDS APPROVAL, AS
AMENDED)**

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3160. Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 3160 to include the green sheet amendment. A voice vote was taken with a unanimous affirmative result and the motion to approve the green sheet amendment was declared passed. A second voice vote was taken with a unanimous affirmative result and the original motion for first reading, as amended, was declared passed. Bill No. 3160 was read for the first time.

**BILL NO. 3161 PROVIDES FOR THE APPROVAL OF A BOUNDARY
ADJUSTMENT PLAT FOR THE WHITESTONE FARM
DEVELOPMENT FOR TWO TRACTS TOTALING .69 ACRES,
ZONED "R2" RESIDENTIAL DISTRICT AND LOCATED AT
445 WHITESTONE FARM DRIVE (18R440086 & 18R440097)
(FIRST & SECOND READINGS) (DEPARTMENT OF
PLANNING & DEVELOPMENT SERVICES RECOMMENDS
APPROVAL)**

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 3161. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3161 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3161. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3161 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3161 with the following results: Ayes – Tilman, Keathley, Logan, Hurt, Ohley, Flachsbart, McGuinness and DeCampi. Nays – None. Whereupon Mayor Nation declared Bill No. 3161 approved, passed it and it became **ORDINANCE NO. 2967**.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:38 p.m.

Bob Nation
Mayor Bob Nation

ATTEST:

Vickie J. Hass
Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 7/31/17