RECORD OF PROCEEDING

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

JULY 16, 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 Derek Grier
Councilmember Barry Flachsbart	
Councilmember Matt Segal	
Councilmember G. Elliot Grissom	
Councilmember Mike Casey	
Councilmember Randy Logan	
Councilmember Bob Nation	
Councilmember Connie Fults	

APPROVAL OF MINUTES

The minutes of the June 18, 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 a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Geiger announced that the next meeting of City Council has been scheduled for Monday, August 6, at 7 p.m.

Mayor Geiger next announced that Wild Horse Creek Road and Kehrs Mill Road were re-opened on time after being closed on June 15 for St. Louis County's road improvement project.

COMMUNICATIONS AND PETITIONS

State Senator Jane Cunningham stated that this is her last Senate term, since the redistricting process eliminated her district. Senator Cunningham said she has represented the City of Chesterfield for the last twelve years and that three senators will now represent the City of Chesterfield. Senator Cunningham provided a handout titled "Legislation of Municipal Interest that Passed" for Mayor Geiger, City Councilmembers, and City Administrator Herring and provided a legislative update. Mayor Geiger thanked Senator Cunningham for her twelve years of service to the City and wished her well in the future.

Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, stated he was available to answer questions on Bill No. 2895 (Approves a Record Plat for Chesterfield Blue Valley, Plat One).

Mr. Dean Wolfe, Wolfe Properties LLC, 7711 Bonhomme Avenue, stated he was available to answer questions on Bill No. 2895 (Approves a Record Plat for Chesterfield Blue Valley, Plat One).

Mr. Karl Daubel, who resides at 15022 Willow Lake Court in Chesterfield, spoke in opposition to Bill No. 2888 (Chesterfield Social Host Ordinance).

Ms. Nancy Bengtson, who resides at 16427 Wilson Creek Court in Clarkson Valley and is a member of the Rockwood School District Drug-Free Coalition, spoke in support of Bill No. 2888 (Chesterfield Social Host Ordinance).

Ms. Renee Heney, Director of the Rockwood School District Drug-Free Coalition, spoke in support of Bill No. 2888 (Chesterfield Social Host Ordinance).

Mr. Earl Barge, who resides at 15747 Cedarmill Court in Chesterfield and is a member of the Rockwood School District Drug-Free Coalition and is also a member of the Chesterfield Alliance for Positive Youth, spoke in support of Bill No. 2888 (Chesterfield Social Host Ordinance).

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Matt Segal, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Logan, to refer the recommendation for the City's 25th Anniversary Celebration back to Committee and Staff to provide more details regarding the year-long celebration plans. Councilmember Segal stated that the City's 25th anniversary of its incorporation is an important milestone in the City's history and deserving of celebration. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Segal next made a motion, seconded by Councilmember Grissom, to authorize Mayor Geiger to create an "Older Adult Advisory Task Force." A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Segal next made a motion, seconded by Councilmember Logan, to approve the proposed 2013 City Council Meeting Schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Segal reported that Bill No. 2894 (Re-Adopts Procedure for Disclosure of Conflict of Interests) will be read for the first time under the "Legislation" portion of the Agenda.

Public Health and Safety Committee

Councilmember Connie Fults, in the absence of Councilmember Grier, Chairperson of the Public Health & Safety Committee, reported that Bill No. 2888 (Chesterfield Social Host Ordinance) 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, made a motion, seconded by Councilmember Flachsbart, to hold **TSP 27-2010** – AT&T (13559 Olive Blvd.), **TSP 35-2011** – AT&T (14759 Deerhorn Drive), **TSP 36-2011** – AT&T (1972 Baxter Road, **TSP 37-2011** – AT&T (14804 Clayton Road), and **TSP 38-2011** – AT&T (17259 Wild Horse Creek Road) until the September 5, 2012 City Council meeting , pursuant to a request from AT&T, as confirmed by City Attorney Heggie. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Logan next made a motion, seconded by Councilmember Flachsbart, to approve the proposed Public Works Mutual Aid Agreement, which provides emergency assistance during natural disasters and the shared use of unique resources.

Councilmember Logan noted, at least initially, Staff will limit Mutual Aid agreements to those cities, in West County, which are professionally-managed and/or members of the St. Louis Area Insurance Trust. Councilmember Logan commended Director of Public Services Mike Geisel for his work on this agreement. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Logan reported that Bill No. 2891 (Approves a Record Plat – Arbors at Wild Horse Creek) is scheduled for both first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan next reported that Bill No. 2892 (Vacates an Ingress/Egress and General Utility Easement – Wild Horse Ranch) is scheduled for both first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan next reported that Bill No. 2893 (Approves a Boundary Adjustment Plat – YMCA) is scheduled for both first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan next reported that Bill No. 2895 (Approves a Record Plat for Chesterfield Blue Valley, Plat One) is scheduled for both first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan announced that the next meeting of this Committee has been scheduled for Thursday, July 19, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Staff has recommended that work be done on the exterior of the Eberwein Barn to stabilize the structure and restore the exterior appearance. Based upon a review of the information provided by Director of Public Services Mike Geisel, Mr. Herring joined with him in recommending award of a contract to Seals Enterprises, in an amount-not-to-exceed $150,000, for the exterior restoration of the Eberwein Barn. He noted that this work is fully-funded within the FY2012 Budget for the Parks Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, to award a contract to Seals Enterprises, in an amount-not-to-exceed $150,000. Councilmember Logan commended Staff for their work on this project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the City coordinates the process by which salt is purchased/delivered to all members of the St. Louis Metro Branch APWA Salt Cooperative, which includes 44 cities and 2 school districts. North American Salt has agreed to honor the low bid price of $41.89/ton that they submitted for 2011/2012 purchases and extend same for 2012/2013 purchases. Based upon a review of the information provided by Public Works Director/City Engineer Brian McGownd, Mr. Herring joined with him in recommending, on behalf of the members of the St. Louis

Metro Branch APWA Salt Cooperative, that this contract be awarded to North American Salt, at a total price of $41.89/ton. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to award a contract to North American Salt, at a total price of $41.89/ton. 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. 2888 ADDS SECTION 21-78 TO CHAPTER 21- OFFENSES AGAINST PUBLIC PEACE OF THE CHESTERFIELD CITY CODE RELATING TO THE SOCIAL HOSTING OF UNDERAGE DRINKING AND LOUD AND UNRULY GATHERINGS **(SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2888. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2888 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2888 with the following results: Ayes – Nation, Fults, Segal, Flachsbart, Grissom, and Logan. Nays – Casey. Whereupon Mayor Geiger declared Bill No. 2888 approved, passed it and it became **ORDINANCE NO. 2708.**

BILL NO. 2894 RE-ADOPTS THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605 OF THE CITY OF CHESTERFIELD AS THE PROCEDURE FOR DISCLOSURE OF CONFICTS FOR CERTAIN MUNICIPAL OFFICIALS **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the first 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 first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2891 PROVIDES FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENTS FOR THE ARBORS AT WILD HORSE CREEK FOR A 23 ACRE TRACT OF LAND ZONED "PUD" PLANNED UNIT DEVELOPMENT LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD WEST OF ITS INTERSECTION WITH LONG ROAD. **(FIRST AND SECOND**

READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2891 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2891 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2891 with the following results: Ayes – Segal, Flachsbart, Logan, Fults, Casey, Grissom and Nation. Nays – None. Whereupon Mayor Geiger declared Bill No. 2891 approved, passed it and it became **ORDINANCE NO. 2709.**

BILL NO. 2892 VACATES AN INGRESS/EGRESS AND GENERAL UTILITY EASEMENT ON LOTS 1 AND 2A OF "WILD HORSE RANCH AND LOT SPLIT OF LOT #2 OF WILDHORSE RANCH" AS RECORDED IN PLAT BOOK 211, PAGE 1 AND PLAT BOOK 354, PAGE 1007 OF THE ST. LOUIS COUNTY RECORDS, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. **(FIRST AND SECOND READINGS; DEPT. OF PUBLIC SERVICES RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2892. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2892was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2892. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2892 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2892 with the following results: Ayes – Nation, Logan, Casey, Flachsbart, Segal, Fults and Grissom. Nays – None. Whereupon Mayor Geiger declared Bill No. 2892 approved, passed it and it became **ORDINANCE NO. 2710.**

BILL NO. 2893 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING ZONED "PC" PLANNED COMMERCIAL DISTRICT AND "C8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF BURKHARDT PLACE WEST OF ITS INTERSECTION WITH CHESTERFIELD PARKWAY. **(FIRST AND SECOND READINGS; DEPT. OF PUBLIC SERVICES RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2893. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2893 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2893. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2893 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2893 with the following results: Ayes – Casey, Logan, Grissom, Segal, Nation, Fults and Flachsbart. Nays – None. Whereupon Mayor Geiger declared Bill No. 2893 approved, passed it and it became **ORDINANCE NO. 2711.**

BILL NO. 2895 PROVIDES FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENTS FOR CHESTERFIELD BLUE VALLEY FOR A 191.350 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT AND "FP" FLOOD PLAIN DISTRICT LOCATED ON THE NORTH SIDE OF OLIVE STREET ROAD, WEST OF ITS INTERSECTION WITH CHESTERFIELD AIRPORT ROAD **(FIRST AND SECOND READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2895. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2895 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2895. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2895 was read for the second time. City Administrator Mike Herring stated there was a typographical error in the second paragraph of Bill No. 2895 that reads: "WHEREAS, the purpose of said Record Plat is to subdivide a **23** acre tract of land into six (6) commercial lots; and," Mr. Herring stated that this paragraph should read: "WHEREAS, the purpose of said Record Plat is to subdivide a **191.350** acre tract of land into six (6) commercial lots; and,", which is correctly listed in the bill title. Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to amend Bill No. 2895 pursuant to this correction. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for the passage and approval of Bill No. 2895, as amended, with the following results: Ayes – Logan, Flachsbart, Casey, Segal, Grissom, Nation and Fults. Nays – None. Whereupon Mayor Geiger declared Bill No. 2895 approved, passed it and it became **ORDINANCE NO. 2712.**

ADJOURNMENT

Mayor Geiger entertained a motion to reconvene into Executive Session.

Councilmember Fults made a motion, seconded by Councilmember Logan, to go into closed session, as provided by RSMo 610.021(1) and (2), for the purpose of discussing litigation and property acquisition. A roll call vote was taken with the following results: Ayes –Grissom, Casey, Logan, Nation, Fults, Flachsbart and Segal. Nays – None. Whereupon Mayor Geiger declared the motion passed.

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:42 p.m.

Mayor Bruce Geiger

ATTEST:

Judith A. Naggiar, City Clerk