RECORD OF PROCEEDING

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

JUNE 18, 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 Barry Flachsbart	
Councilmember Matt Segal	
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 June 4, 2012 City Council meeting were submitted for approval. Councilmember Segal made a motion, seconded by Councilmember Grier, to approve the City Council minutes. A voice vote was taken with an affirmative result (7-0-1 – Councilmember Flachsbart "abstained") and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Geiger invited everyone to attend the free concert by *Trixie Delight* at the Amphitheater at 8 p.m. on Saturday, June 23.

He announced that City Hall will be closed Wednesday, July 4, in observance of the Independence Day holiday.

Mayor Geiger invited everyone to attend the City's Fourth of July celebration at Chesterfield Mall on Wednesday, July 4. He said the winners from the West County Talent Bash will perform at 6:00 p.m., a free concert begins at 7:15 p.m., and fireworks begin at 9:30 p.m.

He announced that the next meeting of City Council has been scheduled for Monday, July 16, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Ms. Renee Heney, Director of the Rockwood School District Drug-Free Coalition, spoke in support of Bill No. 2888 (Chesterfield Social Host Ordinance). In response to Mayor Geiger's question, Ms. Heney said that Wildwood and Clarkson Valley have already passed similar ordinances and Chesterfield would be the third city to do this. Councilmember Logan stated Chesterfield's bill is slightly different than Wildwood's and Clarkson Valley's bill since they will allow a "free pass" on the first offense and Chesterfield will not.

Mr. David Arbogast, who resides at 13555C Coliseum Drive in Chesterfield, said he represents 40 subdivisions and 3,000 households with private streets. He requested that the City reinstate the snow removal reimbursement program. Mayor Geiger stated that this is on the Agenda of the next Planning and Public Works Committee meeting scheduled for Thursday, June 21, at 5:30 pm, and that he feels optimistic that there will be some restoration of this program.

Mr. Bill Burns, who resides at 13493 Coliseum Drive in Chesterfield and is the President of the Forum West Board of Trustees, requested that the City reinstate the snow removal reimbursement program.

Ms. Debra Bremer, who resides at 13364 LaBarge Drive in Chesterfield and is a member of the Wood Lake Board of Trustees, requested that the City reinstate the snow removal reimbursement program.

Mr. Dan Mauch, who resides at 1714 Baxter Forest Valley Court in Chesterfield and is a member of The Forest Board of Trustees, requested that the City reinstate the snow removal reimbursement program.

Mr. John W. Hammond, who resides at 1203 Walnut Hill Farm in Chesterfield and is a member of the Walnut Hill Farms Board of Trustees, requested that the City reinstate the snow removal reimbursement program.

Mayor Geiger thanked the subdivision trustees for being at tonight's City Council meeting and for the work they do as trustees.

RE-APPOINTMENTS

Mayor Geiger nominated Ms. Marilyn Ainsworth from Ward III for re-appointment to the Board of Adjustment. Councilmember Logan made a motion, seconded by Councilmember Casey, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Ainsworth's five-year term expires June 1, 2017.

Mayor Geiger next nominated Ms. Katherine Hipp from Ward II for re-appointment to the Board of Adjustment. 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. Ms. Hipp's five-year term expires June 1, 2017.

Mayor Geiger next nominated Mr. Michael Comens from Ward I for re-appointment to the Finance & Administration Citizens Advisory Committee. Councilmember Flachsbart made a motion, seconded by Councilmember Segal, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Comens' three-year term expires June 15, 2015.

Mayor Geiger next nominated Ms. Mary Domahidy from Ward IV for re-appointment to the Finance & Administration Citizens Advisory Committee. Councilmember Nation made a motion, seconded by Councilmember Fults, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Domahidy's three-year term expires June 15, 2015.

Mayor Geiger next nominated Ms. Arlene Taich from Ward IV for re-appointment to the Finance & Administration Citizens Advisory Committee. 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. Ms. Taich's three-year term expires June 15, 2015.

Mayor Geiger next nominated Ms. Amy Nolan from Ward IV for re-appointment to the Planning Commission. Councilmember Nation made a motion, seconded by Councilmember Fults, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Nolan's four-year term expires June 2, 2016.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Derek Grier, Chairperson of the Public Health & Safety Committee, announced that Bill No. 2888 (Chesterfield Social Host Ordinance) will be read for the first time 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. 2886 [P.Z. 04-2012 – 318 N. Eatherton Road (Timothy Meyer)] will be considered for SECOND READING approval and adoption under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Logan next reported that Bill No. 2889 (Vacates General Utility Easements – Reserve at Chesterfield Village, Plat 1 **-** Parts of Lots 56, 57, 40 and 41) and Bill No. 2890 [Approves Boundary Adjustment Plat – Spirit Trade Center, Lots 2 and 3 (MoHELA)] are 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, June 21, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Staff sought bids for the repair of the fountain, at City Hall, located at/near the intersection of Chesterfield Parkway and Swingley Ridge. He noted that this fountain was built, as the result of a donation from Sachs Properties, when City Hall was originally constructed, back in 2000-2001. 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 Western Waterproofing Company, in an amount-not-to-exceed $50,000 and further recommends that City Council also approve a transfer of $42,000, from General Fund Fund Reserves**,** to help cover this total expense. Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, to award a contract to Western Waterproofing Company, in an amount-not-to-exceed $50,000**,** and transfer $42,000, from General Fund Fund Reserves. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Staff sought engineering proposals regarding the need for various repairs to the bridge serving the Eagle Crest Subdivision. Based upon a review of the information provided by Director of Planning, Public Works and Parks Mike Geisel, Mr. Herring joined with him in recommending award of a contract to Oates Associates, for the engineering design of the fence replacement and bridge repairs, in an amount-not-to-exceed $13,000. This amount will be fully-funded via escrow dollars secured from

Jefferson Bank and Trust Company, the escrow holder for Eagle Crest. Councilmember Nation made a motion, seconded by Councilmember Logan, to award a contract to Oates Associates, in an amount-not-to-exceed $13,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Staff sought bids for the 2012 Sidewalk Replacement Project, which will repair/replace sidewalks in various locations throughout the City. 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 SBC Contracting, in an amount-not-to-exceed $260,000, as fully-funded by the Capital Improvement Sales Tax Fund. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to SBC Contracting, in an amount-not-to-exceed $260,000. 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 AGAINT PUBLIC PEACE OF THE CHESTERFIELD CITY CODE RELATING TO THE SOCIAL HOSTING OF UNDERAGE DRINKING AND LOUD AND UNRULY GATHERINGS **(FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Grier made a motion, seconded by Councilmember Logan, for the first 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 first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2886 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 1.049 ACRE TRACT OF LAND LOCATED ¼ MILE SOUTHEAST OF THE INTERSECTION OF WINGS CORPORATE DRIVE AND NORTH EATHERTON ROAD (18W410026) (P.Z. 04-2012, 318 NORTH EATHERTON, TIMOTHY MEYER **(SECOND READING: PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Logan made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 2886. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2886 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2886 with the following results: Ayes – Fults, Segal, Logan, Grissom, Casey, Flachsbart, Nation and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2886 approved, passed it and it became **ORDINANCE NO. 2705.**

BILL NO. 2889 VACATES TWO GENERAL UTILITY EASEMENTS ON PART OF LOTS 56 AND 57 AND PART OF LOTS 40 AND 41 OF "THE RESERVE AT CHESTERFIELD VILLAGE PLAT ONE BOUNDARY ADJUSTMENT OF LOTS 37 THROUGH 42, LOT 56 AND 57" AS RECORDED IN PLAT BOOK 357 PAGES 473 THROUGH 474 OF THE ST. LOUIS COUNTY RECORDS, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. (**FIRST AND SECOND READINGS; DEPT. OF PLANNING, PUBLIC WORKS AND PARKS RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2889. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2889 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 2889. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2889 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2889 with the following results: Ayes – Grier, Flachsbart, Logan, Segal, Grissom, Casey, Fults and Nation. Nays – None. Whereupon Mayor Geiger declared Bill No. 2889 approved, passed it and it became **ORDINANCE NO. 2706.**

BILL NO. 2890 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR SPIRIT TRADE CENTER, LOTS 2 AND 3, FOR A 14.31 ACRE TRACT OF LAND ZONED "M3" PLANNED INDUSTRIAL DISTRICT LOCATED ON THE WEST SIDE OF SPIRIT DRIVE, SOUTH OF CHESTERFIELD AIRPORT ROAD. (**FIRST AND SECOND READINGS; DEPT. OF PLANNING, PUBLIC WORKS AND PARKS RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2890. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2890 was read for the first time.

Councilmember Logan made a motion, seconded by Councilmember Nation, for the second reading of Bill No. 2890. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2890 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2890 with the following results: Ayes – Logan, Grier, Fults, Nation, Segal, Grissom, Flachsbart and Casey. Nays – None. Whereupon Mayor Geiger declared Bill No. 2890 approved, passed it and it became **ORDINANCE NO. 2707.**

ADJOURNMENT

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:37 p.m.

Mayor Bruce Geiger

ATTEST:

Judith A. Naggiar, City Clerk