



RECORD OF PROCEEDING

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

June 16, 2003

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

Mayor Nations led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

Mayor Nations next presented a Proclamation to the Parkway West High School Boy's Volleyball Team for winning the State 3-A Volleyball Championship.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Connie Fults

ABSENT

None

APPROVAL OF MINUTES

The minutes of the June 2, 2003, City Council meeting were submitted for approval. Councilmember Streeter made a motion, seconded by Councilmember Geiger, 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 Nations announced that City Hall would be closed Friday, July 4 in celebration of Independence Day and noted that the next meeting of City Council would take place Monday, July 7.

COMMUNICATIONS AND PETITIONS

Bill Bird, who resides at 144 Ridgecrest Drive, represented the River Bend Association and supported the design and construction of River Valley Drive Phase II of the project.

Royce Engle, who resides at 135 Ridgecrest Drive, represented Chesterfield Citizens for Responsible Government and supported the River Valley Drive improvement project, but opposed the installation of the circle drive.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2159 (Stoneridge/Tristar) would be read for the first time and Bill No. 2162 (Junior Achievement) would be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Streeter announced the next meeting of this Committee would take place June 19 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that the Committee unanimously recommends a policy change in the Residential Sanitary Sewer Lateral Repair Program. Under this new policy, if/when the fund balance for the Sanitary Sewer Lateral Repair fund falls to \$50,000, Staff is required to notify City Council and, if appropriate, a recommendation will be made to have the General Fund advance funds to the “Sewer Lateral” fund to cover any/all remaining repairs, still pending for that year. Councilmember Fults made a motion, seconded by Councilmember Flachsbarth, to approve this policy change. A motion was made by Councilmember Brown and seconded by Councilmember Geiger, to amend this recommendation, to include a specific requirement that the “Sewer Lateral” fund must repay the General Fund, as soon as funds become available. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Councilmember Fults next reported that Bill No. 2163, which amends the list of “thru streets” to include Justus Post, will be read for the first time in the Council meeting under the “Legislation” portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for August 11 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that he joins with Dir. Of Public Works/City Engineer Mike Geisel in recommending that a contract be awarded to Western Waterproofing Company, Inc., in an amount not to exceed \$60,800, for waterproofing the deck surface of the City Hall garage, as well as the concrete deck surface on the bridge at Wildhorse Parkway. Mr. Herring stated that adequate funds exist within the FY2003 Budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Western Waterproofing Company, Inc., in an amount not to exceed \$60,800, for waterproofing the deck surface of the City Hall garage, as well as the concrete deck surface on the bridge at Wildhorse Parkway. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the reconstruction of River Valley, Phase II. Mr. Herring noted that adequate funds exist within the FY2003 Budget and joined with Mr. Geisel in recommending award of a contract to Gershenson Construction, in an amount not to exceed \$690,000. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to award a contract to Gershenson Construction, in an amount not to exceed \$690,000 for the reconstruction of River Valley, Phase II. Mayor Nations called for a roll call vote. A roll call vote was taken with the following results: Ayes – Streeter, Durrell, Flachsbart, Brown, Fults, Geiger. Nays – Hurt and Casey. Mayor Nations declared the motion passed.

Mr. Herring next reported that bids were recently sought for the reconstruction of Old Baxter Road, Phase I. Mr. Geisel is recommending award of a contract to L. Krupp Construction in an amount not to exceed \$450,000. Having reviewed the information provided to him, Mr. Herring joined with Mr. Geisel in recommending award of a contract to L. Krupp Construction, in an amount not to exceed \$450,000. Mr. Herring stated that adequate funds exist within the FY2003 Budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to award a contract to L. Krupp Construction, in an amount not to exceed \$450,000, for the reconstruction of Old Baxter Road, Phase I. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next introduced Resolution #292. Chief Johnson is requesting passage of said Resolution, which would authorize Mr. Herring to sign the grant application on behalf of the Mayor and City Council. This is the final year of a 3-year grant, which the City used to fund the Workplace Safety Officer Program. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to authorize Mr. Herring to sign the grant application to acquire funding for the Workplace Safety Officer Program. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Gabrielle's, located at 140 Chesterfield Towne Centre, applied for a liquor license to sell all kinds of liquor by the drink and Sunday sales. The application was reviewed/approved by Staff after the packet deadline and, as a result, could not be added to the agenda. Mr. Herring stated that, given the circumstances, he was requesting that City Council amend the agenda to permit consideration of this application. Councilmember Geiger made a motion, seconded by Councilmember Brown, to amend the agenda to consider the liquor license request from Gabrielle's restaurant. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that The Summit Center (formerly U.S. Ice Sports Complex), 16851 North Outer Forty Road has requested a liquor license to sell beer by the drink, for consumption on the premises and Sunday sales) and Parkway Station, 909 Chesterfield Parkway East has also requested a license to sell all kinds of liquor in the original packages and Sunday sales. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve liquor licenses, as requested, to Gabrielle's, The Summit Center and Parkway Station. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Durrell reported that last year the Finance and Administration Committee called for monthly updates with regard to the performance of the current budget. She stated that those reports have been most helpful. As of the end of May, 2003, revenues are \$158,000 lower than projections; however, Staff has done a good job of "holding the line" on expenditures and that total expenditures are \$425,000 lower than projected; consequently, the "bottom line" is \$267,000 better than projected. The Committee was pleased with the results of these reports. Mr. Herring noted that the poor performance of the economy was having a dramatic effect on communities across the country and with the Finance and Administration Department and Staff monitoring the budget so closely, he felt that the City was in good shape at this point in time. Councilmember Flachsbart commended the Finance and Administration Committee, Mr. Herring and the Staff for their due diligence.

LEGISLATION

BILL NO. 2163 AMENDS ORDINANCE NO. 35, SCHEDULE V "THRU HIGHWAYS ROADS OR STREETS", OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING "JUSTUS POST" TO SAID SCHEDULE V (**FIRST READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2163. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2163 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2159 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-5” RESIDENCE DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR 9.3 ACRES LOCATED ON THE SOUTH SIDE OF SOUTH OUTER FORTY ROAD, NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH LANE (P.Z. 31-2002 STONERIDGE DEVELOPMENT)(**FIRST READING – PLANNING COMMISSION/PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2159. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2159 was read for the first time. Councilmember Hurt made a motion, seconded by Councilmember Casey, to amend Section 7 – Landscape Plan, Item e regarding the distance from 100 feet to 90 feet and number of evergreen plantings. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt made a motion, seconded by Councilmember Casey, to revise Section 11 Power of Review regarding the review of the site plan for this development in order for it to be approved by the entire City Council. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Geiger made a motion, seconded by Councilmember Durrell, to delete the stub sentence which appeared at the end of Item d. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2162 APPROVES THE BOUNDARY ADJUSTMENT PLAT OF LOT A, A TRACT OF LAND BEING PART OF LOTS 1, 2, 3 & 4 OF THE SUBDIVISION OF THE HERMAN FICK ESTATE, MORE PARTICULARLY DESCRIBED AS A 5.345 ACRE TRACT OF LAND IN U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI (JUNIOR ACHIEVEMENT)(**FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2162. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2162 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2162. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2162 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2162, with the following results: Ayes – Durrell, Brown, Flachsbart, Casey, Streeter, Hurt, Geiger, and Fults. Nays - None. Whereupon Mayor Nations declared Bill No. 2162 approved, passed it and it became **ORDINANCE NO. 1938**.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:45 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk