



RECORD OF PROCEEDING

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

MAY 15, 2017

The meeting was called to order at 7:05 p.m.

President Pro-Tem Dan Hurt 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

Councilmember Barry Flachsbart
Councilmember Barbara McGuinness
Councilmember Ben Keathley
Councilmember Guy Tilman
Councilmember Dan Hurt
Councilmember Randy Logan
Councilmember Tom DeCampi
Councilmember Michelle Ohley

ABSENT

Mayor Bob Nation

APPROVAL OF MINUTES

The minutes of the May 1, 2017 City Council meeting were submitted for approval. Councilmember Logan made a motion, seconded by Councilmember Tilman, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the May 1, 2017 Executive Session were submitted for approval. Councilmember Logan made a motion, seconded by Councilmember Tilman, to approve the Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Bill Lawson, 2114 Riding Trail Drive, spoke in support of Prosecuting Attorney Tim Engelmeyer and TDD funding extension for Hockey.

Mr. Sathish Makkapati, 327 Oak Stand Court, spoke in opposition to P.Z. 05-2016 Shelbourne development.

INTRODUCTORY REMARKS

President Pro-Tem Hurt announced that the next meeting of City Council has been scheduled for Monday, June 5, at 7 p.m.

APPOINTMENTS

President Pro-Tem Hurt nominated Ms. Katherine Hipp, 14687 Los Padres Court (Ward II), for re-appointment to the Board of Adjustment. Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

President Pro-Tem Hurt nominated Ms. Marilyn Ainsworth, 2382 Baxton Way (Ward III), for re-appointment to the Board of Adjustment. Councilmember Logan made a motion, seconded by Councilmember Hurt, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Guy Tilman, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3145 (P.Z. 17-2016 Grand Reserve [Hardesty Development, LLC]) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3146 (P.Z. 04-2017 Dierbergs The Market Place [Amendment]) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Tilman reported that Bill No. 3148 (P.Z. 16-2016 EJ Properties [16625 & 16635 Old Chesterfield Rd]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3149 (P.Z. 06-2017 City of Chesterfield [Unified Development Code – Articles 3 & 4]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3150 (Summit Development/Topgolf – Record Plat) is scheduled for both first and second reading approval under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3151 (Larry Enterprises-Lynch Hummer Development – Lot Split) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to refer the petitioner’s appeal of the request for zoning map amendment – P.Z. 05-2016 Wild Horse Baxter Center to Planning and Public Works Committee for a public hearing. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilman announced that the next meeting of this Committee has been scheduled for Thursday, May 18, at 5:45 p.m.

Finance and Administration Committee

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Ohley, to renew the City’s Health Insurance benefit as offered by St. Louis Areas Insurance Trust (SLAIT) with a 2% premium increase, with the premium distribution paid by the City and employee remaining the same as it has been since 2009, as recommended by staff in Director of Finance Craig White’s memo dated May 4, 2017. Employees with single coverage pay a flat \$100 premium. The premium for family coverage is calculated as 50% of the premium above single coverage. A roll call vote was taken with the following results: Ayes – Ohley, Logan, Tilman, McGuinness, Hurt, DeCampi, Keathley and Flachsbart. Nays – None. Whereupon President Pro-Tem Hurt declared the motion passed.

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, to use “excess premiums” reimbursed by SLAIT to “pre-pay” and fully offset both the 2% increase in premiums (\$29,780) and the full cost of the 2017-2018 HRA plan (\$100,000) as recommended by staff in Director of Finance Craig White’s memo dated May 4, 2017. In doing so, the City will realize the full \$100,000 in budgeted savings for 2018 and will not budget any increase in health premiums for the 2017-2018 plan year. A roll call vote was taken with the following results: Ayes – Hurt, Keathley, McGuinness, Logan,

DeCampi, Flachsbart, Ohley and Tilman. Nays – None. Whereupon President Pro-Tem Hurt declared the motion passed.

Councilmember DeCampi made a motion, seconded by Councilmember Tilman, to contribute 5% (\$1,542.35) of Chesterfield's share of the Tracphone Wireless cash settlement to the Missouri Municipal League (MML) Advocacy fund to replenish the reserve for future litigation efforts. A roll call vote was taken with the following results: Ayes – Logan, Flachsbart, Hurt and Tilman. Nays – Ohley, Keathley, McGuinness and DeCampi. President Pro-Tem Hurt voted "Aye" to break the tie and declared the motion passed. President Pro-Tem Hurt requested that payment not be processed until after the June 5, 2017 meeting in case the Mayor desired to reconsider.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to approve the purchase of the integrated add-on module to the City's current court software (Justware), to satisfy the Missouri Supreme Court changes in operational instructions. This software purchase requires an initial transfer of \$18,000 from the General Fund – Fund Reserves. Purchase of this software will also increase the annual software maintenance costs by \$12,000. A roll call vote was taken with the following results: Ayes – Tilman, Flachsbart, DeCampi, McGuinness, Keathley, Hurt, Logan and Ohley. Nays – None. Whereupon President Pro-Tem Hurt declared the motion passed.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to rescind Council's prior approval of the "Meet the Legislators" event as well as the \$3,000 fund transfer.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to amend the motion to rescind, and allow the event to proceed if funded by a private donor.

Councilmember Tilman made a motion, seconded by Councilmember McGuinness, to amend the motion and continue with the event with no funding, either public or private. A roll call vote was taken with the following results: Ayes – Hurt, Tilman, Keathley, McGuinness, Ohley and DeCampi. Nays – Flachsbart and Logan. Whereupon President Pro-Tem Hurt declared the motion to amend the original motion, by eliminating funding, passed. This vote supersedes the first amendment offered.

A roll call vote was taken on the original motion to rescind funding with the following results: Ayes – McGuinness, DeCampi, Ohley, Keathley, Tilman and Hurt. Nays – Logan and Flachsbart. Whereupon President Pro-Tem Hurt declared the original motion passed, as amended.

Councilmember DeCampi announced that the next meeting of this Committee has been scheduled for Monday, June 26, at 5:30 p.m.

Parks, Recreation & Arts Committee

Councilmember Randy Logan, Chairperson of the Parks, Recreation & Arts Committee, indicated that he had no report this evening and that he was working with Parks, Recreation and Arts Director Tom McCarthy to schedule a meeting in the first part of June.

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, reported that Bill No. 3152 (Revised Ordinance – Deer Hunting Regulations & Requirements) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Monday, May 22, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that The Wine & Cheese Place, located at 14748 Clayton Road, has requested an upgrade to their existing liquor license (retail sale of all kinds of packaged liquor) to retail sale of all kinds of liquor by the drink. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Logan made a motion, seconded by Councilmember Tilman, to approve issuance of a new liquor license to The Wine & Cheese Place. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel reported that Bike Stop Café, located at 17089 N. Outer 40 Road, Suite 140, has requested a new liquor license, to sell beer and wine by the drink and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Logan made a motion, seconded by Councilmember Ohley, to approve issuance of a new liquor license to Bike Stop Café. 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

Councilmember McGuinness made a motion, seconded by Councilmember Ohley, to add an additional custom generated report on the Transparency Portal of the public website to display annual compensation for Municipal Judge, Prosecuting Attorney and Assistant Prosecuting Attorney. This information is already provided through the Transparency

Portal. However, since the Judge and Prosecutors are not City employees and are compensated on a Contractual basis, their compensation is not included in the employee report, but displayed as a line item contractual expenditure in the budget document.

Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to refer this issue to the Finance and Administration Committee for full vetting and recommendations by Committee and staff in order to avoid inconsistencies caused by manual duplication of data. A roll call vote was taken with the following results: Ayes – Hurt, Flachsbart, Logan and Tilman. Nays – McGuinness, Ohley, Keathley and DeCampi. President Pro-Tem Hurt voted “Aye” to break the tie and declared the motion to amend passed.

A voice vote was taken on the original motion as amended, with an affirmative result (Councilmembers Logan and Flachsbart voted “No”) and the motion was declared passed.

LEGISLATION

BILL NO. 3151 PROVIDES FOR THE APPROVAL OF A LOT SPLIT PLAT FOR LOT A1 OF THE LARRY ENTERPRISES-LYNCH HUMMER DEVELOPMENT TO CREATE A 3.107 ACRE TRACT OF LAND AND A 5.249 ACRE TRACT OF LAND, BOTH ZONED “PI” PLANNED INDUSTRIAL DISTRICT AND LOCATED ON THE NORTH SIDE OF NORTH OUTER 40 ROAD WEST OF BOONE’S CROSSING (17U520236) (FIRST & SECOND READINGS) (DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES RECOMMENDS APPROVAL)

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3151. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3151 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3151. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3151 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3151 with the following results: Ayes – Hurt, Logan, Ohley, McGuinness, Tilman, DeCampi, Keathley and Flachsbart. Nays – None. Whereupon President Pro-Tem Hurt declared Bill No. 3151 approved, passed it and it became **ORDINANCE NO. 2948**.

BILL NO. 3152 UPDATES DEER CONTROL AND DEER HUNTING REGULATIONS AND REQUIREMENTS (FIRST READING) (PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember DeCampi, for the first reading of Bill No. 3152. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3152 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 3145 AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-3” RESIDENTIAL DISTRICT FOR A 0.722 ACRE TRACT OF LAND AND “R-4” RESIDENTIAL DISTRICT FOR AN 11.883 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD, APPROXIMATELY 2,200’ EAST OF THE INTERSECTION OF OLIVE BOULEVARD AND CHESTERFIELD PARKWAY (P.Z. 17-2016 GRAND RESERVE [HARDESTY DEVELOPMENT, LLC] —18S620427, 18S620812, 18S620823, 18S640184, 18S620087, 18S620834, & 18S640205) (SECOND READING) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3145. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3145 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3145 with the following results: Ayes – Tilman, Logan, McGuinness, Keathley, DeCampi, Flachsbart, Ohley and Hurt. Nays – None. Whereupon President Pro-Tem Hurt declared Bill No. 3145 approved, passed it and it became **ORDINANCE NO. 2949**.

BILL NO. 3146 REPEALS ORDINANCE 2256 OF THE CITY OF CHESTERFIELD TO CHANGE THE CONDITIONS OF ATTACHMENT “A” RELATIVE TO THE “C-8” PLANNED COMMERCIAL DISTRICT FOR AN 11.35 ACRE TRACT OF LAND LOCATED EAST OF CLARKSON ROAD AND NORTH OF BAXTER ROAD (P.Z. 04-2017 DIERBERGS THE MARKET PLACE (AMENDMENT)) (SECOND READING) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3146. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3146 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3146 with the following results: Ayes – Ohley, Flachsbart, Hurt, DeCampi, Tilman, McGuinness, Keathley and Logan. Nays – None. Whereupon President Pro-Tem Hurt declared Bill No. 3146 approved, passed it and it became **ORDINANCE NO. 2950**.

BILL NO. 3148 **REPEALS ORDINANCE 2791 OF THE CITY OF CHESTERFIELD TO CHANGE THE CONDITIONS OF ATTACHMENT "A" RELATIVE TO THE "PI" PLANNED INDUSTRIAL DISTRICT FOR A 1.95 ACRE TRACT OF LAND LOCATED AT 16625 OLD CHESTERFIELD ROAD AND 16635 OLD CHESTERFIELD ROAD. (P.Z. 16-2016 EJ PROPERTIES {16625 & 16635 OLD CHESTERFIELD ROAD}) (FIRST READING) (PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3148. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3148 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 3148 to include the language of the green sheet amendment. A voice vote was taken with a unanimous affirmative result and the motion was passed.

BILL NO. 3149 **AMENDS ARTICLE 3 SECTION 03-06 USE TABLE FOR RESIDENTIAL DISTRICTS AND ARTICLE 4 SECTION 04-01 SITE AND BUILDING DESIGN TABLE OF THE UNIFIED DEVELOPMENT CODE (P.Z. 06-2017 CITY OF CHESTERFIELD (UNIFIED DEVELOPMENT CODE ARTICLES 3 AND 4) (FIRST READING) (PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3149. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3149 was read for the first time.

BILL NO. 3150 **PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR THE SUMMIT—TOPGOLF SUBDIVISION, A 22.218 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF NORTH OUTER 40 ROAD AND EAST OF BOONE'S CROSSING (FIRST & SECOND READING) (PLANNING COMMISSION RECOMMENDS APPROVAL)**

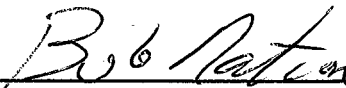
Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3150. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3150 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3150. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3150 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 3150 with the following results: Ayes – Logan, Hurt, Flachsbart, Keathley, DeCampi, Ohley, McGuinness and Tilman. Nays – None. Whereupon President Pro-Tem Hurt declared Bill No. 3150 approved, passed it and it became **ORDINANCE NO. 2951**.

ADJOURNMENT

There being no further business to discuss, President Pro-Tem Hurt adjourned the meeting at 8:28 p.m.



Mayor Bob Nation

ATTEST:



Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 6/5/17