City of Chesterfield

RECORD OF PROCEEDING

# MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY MAY 4, 1998

The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

| PRESENT | ABSENT |
|---|---|
| Mayor Nancy Greenwood | None |
| Councilmember Barry Flachsbart | |
| Councilmember Allan Sheppard | |
| Councilmember Barry Streeter | |
| Councilmember Larry Grosser | |
| Councilmember Dan Hurt | |
| Councilmember Mike Casey | |
| Councilmember Linda Tilley | |
| Councilmember Mary K. Brown | |

The Pledge of Allegiance was led by Girl Scout Troop #4500 from Shenandoah Valley School: Laura King, Julie Kraeuchi, Lindsay Maier, Kasey Rudawsky, Monica Streeter and Stacy Winters. Also in attendance were Troop Leaders Dolly Streeter and Debbie Rudawsky.

Mayor Greenwood led those in attendance in a moment of silent prayer.

## APPROVAL OF MINUTES

The minutes of the April 20, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Streeter, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## INTRODUCTORY REMARKS

Mayor Nancy Greenwood presented a proclamation to the Kehrs Mill Team B Odyssey of the Mind and Crestview Middle School Team A Odyssey of the Mind for both teams winning 1st place in the State competition.

Mayor Greenwood nominated Ms. Diane Brown (landscape architect; 2-year term), Mr. David Whitfield (2-year term) and Mr. Edgar Eslinger (commercial architects; 1-year term), Mr. Kerry Kuehner and Mr. Bob Boland (at-large appointments; both 2-year terms) and Ms. Ruth Malvern (residential appointment – 1 year term) and Mr. Craig Conway (Arts Commission appointment; 1-year term) as members of the Architectural Review Board. A motion was made by Councilmember Flachsbart, seconded by Councilmember Grosser, to approve the nominations as noted above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Greenwood next nominated Ms. Doris Frazier for re-appointment to the Human Rights Commission. A motion was made by Councilmember Casey, seconded by Councilmember Brown, to re-appoint Ms. Frazier to the Human Rights Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Frazier's term will expire 5/1/2001.

Mayor Greenwood next nominated Mr. Patrick Dolan and Ms. Arlene Taich for re-appointment to the Finance and Administration Citizens Advisory Committee. A motion was made by Councilmember Tilley, seconded by Councilmember Brown, to approve the re-appointments. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Their terms will expire 6/15/2001.

Mayor Greenwood next nominated Mr. John Nations and Mr. Steve Domahidy to serve as members of the TIF Commission. Mr. Nations is taking the place of former member Mr. Benton Taylor and Mr. Domahidy is filling the unexpired term of Mr. Mike Flavin. A motion was made by Councilmember Flachsbart, seconded by Councilmember Grosser, to approve the appointments. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Nations' term will expire 5/3/2001 and Mr. Domahidy's term will expire 5/3/2000.

Mayor Greenwood next nominated Mr. Jerry Right to serve as a member of the Planning Commission. Mr. Right will fill the unexpired term of Mr. Mike Casey. A motion was made by Councilmember Casey, seconded by Councilmember Hurt, to appoint Mr. Right as a member of the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Right's term will expire 6/7/99.

Mayor Greenwood announced that a special City Council meeting has been scheduled for May 5 at 12 noon to refinance the general obligation bonds for the parks debt.

Mayor Greenwood next introduced Mr. Paul Wojciechowski, Director of Planning for the Missouri Department of Transportation. Mr. Wojciechowski gave a presentation on the planning process for the Highway 109 project. After the presentation, Mr. Wojciechowski addressed the concerns expressed by the Mayor and members of City Council. He reported that a community-wide meeting is being planned for some time in May by MoDOT to address the issues concerning Highway 109.

Mayor Greenwood next recognized City Administrator Mike Herring for having recently received the Jay T. Bell Award for outstanding leadership, awarded by the Missouri City Management

Association.

Mayor Greenwood announced that a Town Hall Meeting has been scheduled for Wednesday, May 13 at 7 p.m. to give the residents the opportunity to express their concerns regarding airport noise. Representatives from Lambert International Airport, Spirit of St. Louis Airport and the FAA Tower will be in attendance to answer questions concerning this issue.

## COMMUNICATIONS AND PETITIONS

Ron Coleman, Superintendent of Parks, Recreation and Arts, gave an update regarding the activities and events planned for "Celebrate Chesterfield."

## COUNCIL COMMITTEE REPORTS

### Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill Nos. 1529 (P.Z. 10-98, General Van and Storage), 1530 (P.Z. 31-95, Premier Homes – Cambridge Cove), 1531 and 1532 (P.Z. 12 & 13-98, Caplaco Twelve, Inc. c/o Capitol Land Company, 1535 (renaming two streets as Swingly Ridge Road) and 1536 (boundary adjustment plat – Walnut Hills Farm) will be considered for adoption under the Legislation portion of the agenda. The petitioner has withdrawn Bill Nos. 1533 and 1534 regarding P.Z. 14-97, Nancy and Michael Cullen.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, May 7 at 5:30 p.m.

### Finance and Administration Committee

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for Monday, May 11 at 5:00 p.m.

### Public Health and Safety Committee

Councilmember Larry Grosser, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1525, regarding no parking on Wild Horse Creek Road at 17827 Wild Horse Creek Road, will be considered for adoption under the Legislation portion of the agenda.

Councilmember Grosser announced that the next meeting of this Committee has been scheduled for Monday, May 11 at 6:30 p.m.

### Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that the Historical Commission has requested that the City underwrite the cost of printing a book on historical homes in the community at a cost of $12,500. He noted that the proceeds received from

the sale of the book will first go to repay the City and the remaining funds will go to the Historical Commission. A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, to approve the transfer of $12,500 from Contingency Fund to underwrite the Historical Commission book. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart announced that the next meeting of the Public Works/Parks Committee has been scheduled for Thursday, May 21 at 7 p.m.

## REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that every year, in keeping with generally accepted accounting principles, Staff submits a request to City Council to adopt a budget amendment, to reflect outstanding purchase orders for the prior fiscal year. Director of Finance and Administration Jan Hawn, submitted a list of outstanding purchase orders from 1997, totaling $5,394,653.76 which must be funded by a transfer of funds from the unappropriated fund balance. Funds for each of the expenditures represented by the outstanding purchase orders were returned to fund balance when the purchase orders lapsed at the end of 1997. As a result, re-appropriation of the funds to cover these purchase orders will have no effect on the fund balance projections as of December 31, 1998. A motion was made by Councilmember Grosser, seconded by Councilmember Flachsbart, to approve the re-appropriation of $5,394,654 to cover the cost of outstanding purchase orders. 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 two separate fireworks displays, to be held June 7 and June 9, in conjunction with the 10th Anniversary celebration. The only bid received was submitted by Sunset Fireworks, LTD., St. Louis, MO, totaling $28,000. The budget contains an appropriation of $30,000 for this purpose. Mr. Herring joined with Mr. Geisel in recommending approval of the bid submitted by Sunset Fireworks, LTD., totaling $28,000. A motion was made by Councilmember Brown, seconded by Councilmember Tilley, to award the contract to Sunset Fireworks, LTD at a cost of $28,000 for two fireworks displays. A voice vote was taken with an affirmative result Councilmember Sheppard voted "No") and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of pool concession equipment to be used at the City's new aquatic facility. The FY1998 Budget provides an appropriation of $15,710 for the purchase of this equipment. Mr. Herring joined with Mr. Geisel and Director of Finance and Administration Jan Hawn, in recommending approval of the bid submitted by Superior Products Company, in an amount not to exceed $11,220. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, to award the contract to Superior Products Company, in an amount not to exceed $11,220, for pool concession equipment.
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 proposals for the operation and management of the City's concessions at the new aquatic facility. The best proposal was submitted by Ric Mariam/Pasta Joes, which will result in 16.1% of the gross receipts paid to the City of Chesterfield. This amount could increase to 18.1%, if the City extends the contract beyond the initial year. Acceptance of the additional two years is subject to performance and will be determined by City Staff after this pool season. It was noted that the concession vendor will equip the concession, pay utilities and take care of major repairs to the facility, as well as staffing the operation of this facility throughout the pool season. The concession will offer a full line of soft drinks, sandwiches,

snacks, candy, ice cream items, fruit, etc. There will also be pizza days, taco days, McDonald's days, etc., with the contractor working with local vendors on these types of menu items. There will be no fried foods prepared at the concession. Based upon conservative estimates of $60,000 in gross receipts at the pool concession this season, 18.1% would yield the City approximately $11,000. A motion was made by Councilmember Grosser, seconded by Councilmember Streeter, to award the contract to Ric Mariam/Pasta Joes for a revenue of 16.1% of the gross receipts, with the possibility of increasing to 18.1%, as noted above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Planning Teresa Price is recommending authorization to enter into a contract with 4S Tree Consulting (Mr. James Rocca) for tree consulting services. This contract, for which an appropriation of $10,000 is contained within the FY1998 Budget, will provide the Planning Department with expertise regarding the newly-adopted Tree Ordinance and Manual, the ability to review tree studies and mitigation plans prepared by the development community and the ability to prepare possible revisions to the ordinance and manual. Based upon the availability of funds for this service and based upon Ms. Price's recommendation, Mr. Herring joined with her in recommending approval of a contract between the City of Chesterfield and 4S Tree Consulting (Mr. James Rocca), in an amount not to exceed the budgeted appropriation for FY1998. A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, to approve a contract with 4S Tree Consulting (Mr. James Rocca), in an amount not to exceed the budgeted appropriation for FY1998 of $10,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## NEW BUSINESS

Councilmember Flachsbart requested that City Council go on record in support of the Page Avenue Extension project. Discussion ensued. A motion was made by Councilmember Flachsbart, seconded by Councilmember Grosser, to go on record for support of the Page Avenue Extension and bridge. Additional discussion ensued. Councilmember Tilley called for the question. A roll call vote was taken with the following results: Ayes – Flachsbart, Grosser, Streeter, Hurt, Casey. Nays – Sheppard, Tilley, Brown. The motion was declared passed.

## LEGISLATION

BILL NO. 1525 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDITION PROVISIONS THERETO TO RESTRICT PARKING ON WILD HORSE CREEK ROAD, AT 17827 WILD HORSE CREEK ROAD (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE)

A motion was made by Councilmember Grosser, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1525. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1525 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1525, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1525 approved, passed it and it became **ORDINANCE NO. 1392.**

## LEGISLATION – PLANNING COMMISSION

BILL NO. 1529 AMENDS ST. LOUIS COUNTY ORDINANCE NUMBER 6402 FOR A NEW AMENDED ORDINANCE RELATING TO AN "M-3" PLANNED INDUSTRIAL DISTRICT LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, WEST OF THE INTERSECTION OF CHESTERFIELD PARKWAY SOUTH (P.Z. 10-98 GENERAL VAN AND STORAGE COMPANY, INCORPORATED) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1529. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1529 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill No. 1529. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1529 was read for the second time. A motion to amend Attachment A, Section 1(a) Permitted Uses. was made by Councilmember Hurt, seconded by Councilmember Flachsbart. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 1529, as amended, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1529 approved, passed it and it became **ORDINANCE NO. 1393.**

BILL NO. 1530 APPROVES A REQUEST FOR AN AMENDMENT TO THE CITY OF CHESTERFIELD ORDINANCE NO. 1124, AUTHORIZING A PLANNED ENVIRONMENT UNIT (PEU) PROCEDURE IN THE "R-6A" 4,500 SQ. FT. RESIDENCE DISTRICT, SOUTHEAST CORNER OF CHESTERFIELD PARKWAY NORTH AND PEACH HILL LANE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1530. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1530 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill No. 1530. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1530 was read for the second time.
A roll call vote was taken for passage and approval of Bill No. 1530, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1530 approved, passed it and it became **ORDINANCE NO. 1394.**

BILL NO. 1531 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNARIES OF A "C-8" PLANNED COMMERCIAL DISTRICT TO "R-6A" 4,000 SQ. FT. RESIDENCE DISTRICT FOR A 0.5 ACRE TRACT OF LAND LOCATED

ON THE EAST SIDE OF FOREST TRACE DRIVE, SOUTH OF CHESTERFIELD PARKWAY NORTH (P.Z. 12-98, CAPLACO TWELVE, INC. – CHESTERFIELD VILLAGE APARTMENTS) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1531. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1531 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Grosser, for a second reading of Bill No. 1531. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1531 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1531, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1531 approved, passed it and it became **ORDINANCE NO. 1395.**

BILL NO. 1532 AMENDS ST. LOUIS COUNTY ORDINANCE NO. 9477, AS AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 11,368 WHICH ESTABLISHED A PLANNED ENVIRONMENT UNIT (PEU) PROCEDURE IN AN "R-4" 7,500 SQ. FT. RESIDENCE DISTRICT AND THE "R-6A" 4,000 SQ. FT. RESIDENCE DISTRICT FOR A 60.5 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF CHESTERFIELD PARKWAY NORTH, EAST OF SWINGLEY RIDGE DRIVE AND ON THE NORTH SIDE OF SWINGLEY RIDGE DRIVE WEST OF OLIVE BOULEVARD (P.Z. 13-98, CAPLACO TWELVE, INC. CHESTERFIELD VILLAGE APARTMENTS) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1532. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1532 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill No. 1532. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1532 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1532, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1532 approved, passed it and it became **ORDINANCE NO. 1396.**

BILL NO. 1535 CHANGES THE NAME OF TWO STREETS LOCATED IN THE CITY OF CHESTERFIELD FROM NORTH OUTER FORTY ROAD AND ROOSEVELT PARKWAY TO "SWINGLEY RIDGE ROAD." (**FIRST READING** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1535. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1535 was read for the first time.

BILL NO. 1536 APPROVED A BOUNDARY ADJUSTMENT PLAT OF PARCELS 4 AND 5 OF A TRACT OF LAND KNOWN AS WALNUT HILLS IN U.S. SURVEY 2760, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. OUIS COUNTY, MISSOURI; NORTH AND EAST OF WALNUT HILLS FARM DRIVE (PLANNING

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1536. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1536 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1536. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1536 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1536, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1536 approved, passed it and it became **ORDINANCE NO. 1397.**

**ADJOURNMENT**

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:40 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk