



RECORD OF PROCEEDING

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

March 21, 2005

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 recognized Dr. Lynn O'Connor and presented her with the 2004 "Citizen of the Year Award". Dr. O'Connor was recognized for her dedicated service in community and government affairs, which has enhanced the quality of life in our community, both locally and regionally.

Mayor Nations next presented a proclamation to Marty Hogan, professional racquetball player, ranked either #1 or #2 in the world from 1976 – 1990. Mr. Hogan will soon be inducted into the Jewish Sports Hall of Fame for having revolutionized the sport of racquetball. The Proclamation designated Sunday, April 3, 2005, as "Marty Hogan Day" in Chesterfield.

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

ABSENT

Councilmember Mary Brown
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the March 7, 2005, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, 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 John Nations urged everyone to vote in the April 5 election. While the City Council incumbents have no opposition, Mayor Nations pointed out that there were other significant issues on the ballot.

Mayor Nations announced that the next meeting of City Council has been scheduled for April 18, at which time the swearing-in ceremony will take place.

Mayor Nations next called for a moment of silence, in support of Councilmember Connie Fults, whose mother had passed away, earlier this morning.

COMMUNICATIONS AND PETITIONS

Wesley Stemme, 29 Glen Cove Drive, supported the widening and straightening of Hog Hollow Road as it pertains to the proposed development in that area.

Eric Winschel, who resides at 1678 Ansonborough Drive, supported economic development for the area and supported the inclusion of the economic development staff into the City staff. He further added that the Board of Directors of the Chesterfield Community Development Corporation supports the proposed change, as well.

Brian Worth supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Jim Bliss, who resides at 24 Chesterton Lane, supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield), but was concerned that the deer would starve.

Pat Hutton supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Jim Sheafbuck, who resides on Chesterton Lane, supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Tom Kehn, 25 Chesterton Lane, supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Eric Winschel, who resides at 1678 Ansonborough Drive, opposed Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Millie Hill, who resides at 46 Whitmer Drive, supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Emily Kehr opposed Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

Wendy Geckler, who resides in Chesterfield Lakes Subdivision, supported Bill No. 2337 (Prohibits the feeding of certain wildlife within the City of Chesterfield).

COUNCIL COMMITTEE REPORTS

Due to the large number of residents interested in Bill No. 2337 which, if approved by City Council, would prohibit the feeding of certain wildlife within the City of Chesterfield, Mayor Nations suggested that the agenda be amended to address that legislation at this time. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to suspend the rules and address Bill No. 2337. Councilmember Hurt made a motion to table this proposed legislation, until the next City Council meeting, when the Councilmembers from Ward IV could be present to vote. The motion died for lack of a second. A voice vote was taken, on the original motion, with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2337 PROHIBITS THE FEEDING OF CERTAIN WILDLIFE WITHIN THE CITY OF CHESTERFIELD (SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2337. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2337 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2337, with the following results: Ayes – Flachsbart, Streeter, Geiger, Hurt, Durrell and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2337 approved, passed it and it became **ORDINANCE NO. 2158.**

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2338 (Establishes 45 miles per hour speed limit on Edison Avenue) and Bill No 2339 (Prohibits U-turns on Chesterfield Airport Road, west of Olive Street Road) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Flachsbart reported that no future meeting date has been scheduled.

Planning and Zoning Committee

Councilmember Bruce Geiger, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2340 (Chesterfield Oaks (Capitol Land Company)) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for April 21 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Dan Hurt, Chairperson of the Public Works/Parks Committee, reported that the Parks, Recreation and Arts Citizens Advisory Committee (PRACAC) had recently addressed various parks and recreation issues, at the request of the Public Works/Parks Committee. The PRACAC expressed its support for the City’s priorities and timetable, involving the expansion of existing facilities and the acquisition of additional land, as funded by the passage of Proposition “P”, last November. The PRACAC will continue their work regarding additional questions provided by the Committee.

Councilmember Hurt reported that no future meeting has been scheduled.

Finance and Administration Committee

Councilmember Durrell, Vice-Chairperson for the Finance and Administration Committee, reported on behalf of Councilmember Mary Brown, Chairperson, regarding recommendations relating to Economic Development. Councilmember Durrell made a motion, seconded by Councilmember Geiger, to make no further payments to CCDC, to authorize the City Administrator, effective April 1, 2005, to establish two positions under his direct supervision, which would enable the “economic development” function to be brought in-house and to authorize use of the current budget of \$100,000 for this purpose. He noted that the City’s budget would include no contribution to the City from the Chamber of Commerce nor the Valley Coalition; to authorize and direct the CCDC to continue to function as the City’s Industrial Development Authority (IDA) and the City’s Tax Increment Financing (TIF) Commission; and, to authorize the CCDC to continue to manage the Chesterfield Community Institute (CCI); the City should contract directly with Col. Lee McKinney for his consulting services regarding the Monarch-Chesterfield Levee and the U.S. Army Corps of Engineers; and lastly, the City will continue to fund the cost of Col. McKinney’s services, at \$3500/month, from the TIF Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nations thanked each of the out-going Chairpersons for their hard work this past year.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that liquor license requests have been received from Long Street Grill, located at 127 Chesterfield Town Center, and Fox and Hound Pub and Grill, located at 17416 Chesterfield Airport Road. Both establishments are requesting to sell all kinds of liquor by the drink and Sunday sales. Both applications have been reviewed and approved by the Planning and Police Departments. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve the liquor license requests. 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 erection of lighting fixtures, poles and bases at various athletic fields at the Chesterfield Valley Athletic Complex (CVAC). Based upon recommendations he received, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel in recommending award of a contract to All Purpose Erectors at a total cost of \$44,977. He noted that this entire amount will be funded through bond proceeds resulting from the passage of Proposition "P". Councilmember Casey made a motion, seconded by Councilmember Streeter, to award a contract to All Purpose Erectors, at a total cost of \$44,977. 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 annual street reconstruction projects, funded by the ½ cent sales tax for capital improvements, located within Project Area "A". Based upon information provided to him by Mr. Geisel, he recommended award of a contract to Amcon Municipal Concrete, LLC, in an amount not to exceed \$1,200,000. Mr. Herring noted that the FY 2005 Budget provides \$2,450,000 for capital street improvements city-wide. Councilmember Casey made a motion, seconded by Councilmember Flachsbarth, to award a contract to Amcon Municipal Concrete, LLC, in an amount not to exceed \$1,200,000. 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 annual street reconstruction projects, funded by the ½ cent sales tax for capital improvements, located within Project Area "B". Having reviewed the information provided to him by Mr. Geisel, Mr. Herring joined with Mr. Geisel in recommending award of a contract to Midwest Mudjacking, in an amount not to exceed \$1,250,000. Councilmember Casey made a motion, seconded by Councilmember Flachsbarth, to award a contract to Midwest Mudjacking, in an amount not to exceed \$1,250,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring noted that Mr. Geisel is recommending the re-appropriation of \$350,000 in savings, which had previously been allocated for the "Pathway on the Parkway" project. As previously communicated to City Council, those "savings" resulted from the total project cost being lower than anticipated and through the securing of additional donations, to offset the City's local match. In any event, if/when approved by City Council, this additional appropriation will bring the amount allocated by City Council, during F.Y. 2005, for street/sidewalk capital improvement projects, to \$2,800,000.

Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to allocate \$350,000 for capital street and sidewalk improvements city-wide. 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 street sweeping services for calendar year 2005. Based upon a review of the recommendation provided to him by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to Crowns and Curbs Sweeping Service, at a total cost of \$5,995 per city - wide sweep and an additional unscheduled sweeping rate of \$65/hour. Mr. Herring noted that the F.Y. 2005 Budget contains a total of \$24,800 for this purpose. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to award of a contract to Crowns and Curbs Sweeping Service, at a total cost of \$5,995 per city - wide sweep and an additional unscheduled sweeping rate of \$65/hour. 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 repair of storm sewer pipe joints. Having reviewed the recommendation provided by Mr. Geisel, Mr. Herring joined with him in recommending acceptance of the bid submitted by Walden Associated Technologies, at the rate of \$133.50/hour. Mr. Herring noted that the F.Y. 2005 Budget contains \$200,000 for unspecified stormwater projects. Of that amount, approximately \$30,000 is spent annually for this type of repair. Councilmember Casey made a motion, seconded by Councilmember Hurt, to accept the bid submitted by Walden Associated Technologies, at the rate of \$133.50/hour. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2338 AMENDS ORDINANCE NO. 35, SCHEDULE III OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY AMENDING THE SPECIAL SPEED LIMIT FOR EDISON AVENUE, EAST OF LONG ROAD TO BAXTER ROAD, TO SAID SCHEDULE III – SPECIAL SPEED LIMITS ON COUNTY HIGHWAYS, ROADS OR STREETS (**SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2338. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2338 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2338, with the following results: Ayes – Geiger, Flachsbart, Durrell, Streeter and Hurt. Nays - Casey. Whereupon, Mayor Nations declared Bill No.2338 approved, passed it and it became **ORDINANCE NO. 2159.**

BILL NO. 2339 AMENDS ORDINANCE NO. 35, SCHEDULE IV OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY

**ADDING PROVISIONS THERETO TO RESTRICT U-TURNS
FOR EASTBOUND TRAFFIC ON CHESTERFIELD
AIRPORT ROAD, APPROXIMATELY 1,500 FEET WEST OF
OLIVE STREET ROAD (SECOND READING – PUBLIC
HEALTH AND SAFETY COMMITTEE RECOMMENDS
APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2339. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2339 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2339, with the following results: Ayes – Casey, Geiger, Streeter, Hurt, Durrell, and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2339 approved, passed it and it became **ORDINANCE NO. 2160.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2340 **REPEALS CITY OF CHESTERFIELD ORDINANCE 2132 AND REPLACES IT WITH A NEW ORDINANCE AMENDING THE HOURS OF OPERATION AS OUTLINED IN SECTION I (B) (3) FOR CHESTERFIELD OAKS, A 6.494- ACRE “PC” PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF LEA OAKS DRIVE, EAST OF CLARKSON ROAD, WEST OF OLD BAXTER ROAD AND SOUTH OF CHESTERFIELD PARKWAY EAST (CHESTERFIELD OAKS/CAPITOL LAND COMPANY) (SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2340. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2340 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2340, with the following results: Ayes – Streeter, Geiger, Durrell, Flachsbart, Hurt and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2340 approved, passed it and it became **ORDINANCE NO. 2161.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 8:44 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk