



RECORD OF PROCEEDING

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

MARCH 17, 2014

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

Mayor Bob Nation 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 Bob Nation
Councilmember Barry Flachsbart
Councilmember Nancy Greenwood
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Bruce DeGroot
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the March 3, 2014 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Greenwood, 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 Nation announced the upcoming Municipal Election on Tuesday, April 8 and encouraged everyone to vote.

Mayor Nation announced that the next meeting of City Council has been scheduled for Wednesday, April 23, at 7 p.m.

Mayor Nation took a moment to explain some details about the current sales tax distribution system, in St. Louis County, at the request of Councilmember Casey. His comments focused on the 1% local option sales tax. He noted that, everywhere in Missouri, OTHER THAN St. Louis County, the 1% local option sales tax is collected on a “point-of-sale” basis. As required by State legislation, the City of Chesterfield is a “pool” city and receives sales tax revenue, on the basis of its population, as a member of the St. Louis Co. pool. Currently, Chesterfield retains only 43% of the amount generated within its City limits, losing 57% to other “pool” cities like Wildwood, U City, Webster Groves and to St. Louis County. There are currently two bills in the legislature in Jefferson City. One bill, HB2034, would, over a 10-year period, require every City to become a “point-of-sale” City, as is the case elsewhere in Missouri. The other bill, HB2111, would gradually require all cities to become part of the St. Louis County sales tax “pool”. Either bill, if passed, would be an improvement for Chesterfield.

COMMUNICATIONS AND PETITIONS

Mayor Nation presented the Citizen of the Year Award for 2013 to former-Councilmember Jane Durrell. He read aloud from the Proclamation and presented her with a plaque, expressing his gratitude for her tireless efforts on behalf of the City. Ms. Durrell took a few moments to say thank you to her family, fellow committee members, staff and Councilmembers. Councilmembers Greenwood, Flachsbart and Hurt each expressed appreciation to Ms. Durrell for her many contributions to the City. Former Mayor John Nations expressed his thanks and appreciation to Ms. Durrell for all her commitment and support over the years. He stated that Ms. Durrell has shown extraordinary work and political courage during her tenure with the City, both as a Councilmember and as a volunteer.

Ms. Darcy Capstick and Mr. Bob Ernst, Citizens Committee for the Environment, presented information on the First Annual Family Native Gardening Grow-Off competition. Ms. Capstick also discussed the upcoming 23rd Annual Earth Day, co-hosted with Parkway School District, which includes the second annual Youth in Science/Technology/Engineering/Math/and Robotics (STEMR) competition.

Mr. Mike Doster, DosterUllom, LLC, stated that the proposed “BLUE SHEET” amendment to Bill No. 2960 [P.Z. 10-2013 – Schoettler Grove (PUD)] is acceptable to the petitioner.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, reported that Bill No. 2968 [Authorizes Participation in the Missouri Securities Investment Program (MOSIP)] will be considered for SECOND READING and adoption under the “Legislation” portion of the agenda.

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2960 [P.Z. 10-2013 – Schoettler Grove (2349 Schoettler Road)] will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda. A motion for reconsideration of this proposed legislation was approved unanimously at the March 3 City Council meeting. Prior to the final vote, a proposed Blue Sheet Amendment is scheduled for consideration and possible adoption.

Councilmember Fults reported that Bill No. 2969 [P.Z. 22-2013 – Beckmann Properties (16625 and 16635 Old Chesterfield Road)] will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 2970 (Authorizes the City Administrator to Execute a Contract with St. Louis Co., regarding Landscaped Medians on Clayton Road) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults reported that Bill No. 2971 (Approves Parking Restrictions on Premium Way and Outlet Boulevard) will be read for the first time under the “Legislation” portion of the agenda.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Matane, 13419 Olive Blvd. (formerly Blue Sea Japanese Restaurant) has requested a new liquor license, to sell beer and wine by the drink and Sunday sales. Mr. Herring reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Services Division and Police Department. Councilmember Grissom made a motion, seconded by Councilmember Greenwood, to approve issuance of a new liquor license to Matane Japanese Restaurant. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that bids were recently sought for fireworks at the City's upcoming 4th of July celebration. Based upon a review of information provided by Director of Public Services Mike Geisel, Mr. Herring joined with him in recommending award of a multi-year contract to J&M Fireworks for 2014, 2015 and 2016, at a total cost not to exceed \$50,000 per year. As budgeted, our cost for FY2014 will be \$50,000. The net effect will be that J&M Fireworks will provide 23% more fireworks each year. If Council should choose not to fund this in any of the subsequent years and/or if City Council were to cancel the contract, for "non-performance", there will be no penalty. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a multi-year contract to J&M Fireworks for 2014, 2015 and 2016, at a total cost not to exceed \$50,000 per year. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Staff prepared a list of budget transfers, amendments and/or re-appropriations for the FY2014 Budget. Mr. Herring stated that this is necessary housekeeping and similar recommendations are brought to City Council every year, at this time. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to approve these budget amendments. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2968 AUTHORIZES THE CITY OF CHESTERFIELD TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE INVESTMENT OF PUBLIC FUNDS THROUGH THE MISSOURI SECURITIES INVESTMENT PROGRAM (SECOND READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2968. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2968 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2968 with the following results: Ayes – Greenwood, Casey, Flachsbart, Fults, Grissom, DeGroot, Grier and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 2968 approved, passed it and it became **ORDINANCE NO. 2785**.

BILL NO. 2970 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH ST. LOUIS COUNTY REGARDING MAINTENANCE OF LANDSCAPED MEDIANS ON CLAYTON ROAD WITHIN CHESTERFIELD CITY LIMITS **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2970. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2970 was read for the first time.

BILL NO. 2971 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON OUTLET BOULEVARD AND PREMIUM WAY **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2971. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2971 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2960 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-2” RESIDENCE DISTRICT (15,000 SQ. FT. LOT MIN.) TO A “PUD” PLANNED UNIT DEVELOPMENT FOR A 17.0 ACRE TRACT OF LAND LOCATED NORTHWEST OF THE INTERSECTION OF CLAYTON RD. AND SCHOETTLER RD. (P.Z. 10-2013, SCHOETTLER GROVE (2349 SCHOETTLER RD.) 20R310137 & 20R220010) **(BLUE SHEET AMENDMENT) (FINAL VOTE)**

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to approve the “BLUE SHEET” amendment. A roll call vote was taken with the following results: Ayes – Casey, Fults, Flachsbart, Grier, Hurt, Grissom, DeGroot and Greenwood. Nays – None. Whereupon Mayor Nation declared the “BLUE SHEET” amendment approved.

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for a final vote on Bill No. 2960. The second reading of Bill No. 2960 occurred at the February 19 City Council meeting. Councilmembers Greenwood and DeGroot both stated that they would vote “NO” on this bill because they do not believe it fits the requirement of a PUD, but they are happy with the outcome for the surrounding residents. Conversely, Councilmember Fults noted that approval of the PUD is the only vehicle available for providing a final development that addresses and implements most of what the

surrounding residents and the Ward 3 Councilmembers were wanting to achieve. Both Ward 3 Councilmembers, Mike Casey and Dan Hurt, thanked the residents in attendance, for their involvement and support and thanked the developer for being responsive to their needs. A roll call vote was taken for the passage and approval of Bill No. 2960, as amended, with the following results: Ayes – Grissom, Casey, Flachsbert, Fults, Grier and Hurt. Nays – DeGroot and Greenwood. Whereupon Mayor Nation declared Bill No. 2960 approved, passed it and it became **ORDINANCE NO. 2786.**

BILL NO. 2969 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2295 TO ALLOW FOR AN ADDITIONAL PERMITTED USE FOR A 1.95-ACRE TRACT OF LAND LOCATED AT 16625 OLD CHESTERFIELD ROAD AND 16635 OLD CHESTERFIELD ROAD (P.Z. 22-2013 BECKMANN PROPERTIES, 16625 AND 16635 OLD CHESTERFIELD ROAD) **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 2969. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2969 was read for the first time.

ADJOURNMENT

Mayor Nation entertained a motion to reconvene into Executive Session. Councilmember Grissom made a motion, seconded by Councilmember Grier, to go into closed session, pursuant to RSMo 610.021(3) for the purpose of discussing “personnel matters”. A roll call vote was taken with the following results: Ayes – Hurt, Greenwood, Grissom, Fults, Flachsbert, Casey, Grier and DeGroot. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mayor Nation recognized a Boy Scout in attendance and invited him to stay after the meeting, to ask any questions he may have.

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:03 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk