



PARKS, RECREATION AND ARTS COMMITTEE OF COUNCIL MEETING RESULTS

August 30, 2022

12:00 p.m.

City Hall, Room 101

Chairperson Budoor called the meeting to order at 12:00 p.m.

Those in attendance included:

Councilmember Barb McGuinness, Ward I
Councilmember Mary Ann Mastorakos, Ward II
Councilmember Michael Moore, Ward III
Chairperson Gary Budoor, Ward IV

Also in attendance were:

Councilmember Merrell Hansen, Ward IV
Director of Parks, Recreation & Arts, Tom McCarthy
Executive Assistant, Parks, Recreation & Arts, Ann-Marie Stagoski
Jeff Paskiewicz, Senior Civil Engineer
Zachary Wolff, Assistant City Engineer

Agenda Item #2: Eberwein Park Trail Restoration Project (2021-PW-10) Dam Repair and Excavation of Existing Pond

Engineer Paskiewicz explained the scope of the restoration project (presentation materials attached). As part of the original design, the City had planned to connect the two trails at Eberwein and minimize the slope (to a max of 5%) of the trails to address the widespread erosion issues that have been ongoing. The trail will also be converted from aggregate to concrete. As excavation and clearing of vegetation on the backside of the dam occurred. They encountered two areas where there were leaks in the dam. The trees and vegetation that had grown on the backside of the dam compromised the integrity of the dam. The property was acquired in 2009. Original design calls for adding material to make the top of the dam wider (10 feet) and construct a 10-foot-wide path on top of the dam. Now that the leak has been encountered, it would be irresponsible to build that path on top of the dam knowing it would fail at some point in the future. Previously it had been decided not to dredge it out because of the wildlife present in the pond. Very little stormwater drains to the pond. The water in the pond comes mostly from rain.

Councilmember McGuinness asked if the pond was fenced and why a body of water doesn't need to be fenced. Councilmember Budoor asked what is the protocol to inspect the dams. Director McCarthy explained that the leak wasn't visible until they started clearing the vegetation. Councilmember McGuinness asked why the design consultant didn't find the leak himself because they are professionals. Mr. Paskiewicz explained that with all the vegetation it wasn't obvious that it

was leaking through the extreme vegetation. Councilmember McGuinness felt that as professionals they should look for something that is not obvious.

Director McCarthy explained the two options at this time. Option one being to repair the dam and connect the trails so there is one trail throughout the park. Option two is to do nothing so there would be no connection and leaking issue would have to be addressed at a later date.

Councilmember McGuinness asked if the design company was at all liable for the issue because they missed it. Councilmember Hansen pointed out that there was little difference in if they saw it or missed it because they didn't create it. Councilmember McGuinness felt that if they had uncovered it sooner then we could have planned for the expenses earlier in the budget. She felt it makes Horner and Shifrin look like idiots. Director McCarthy said he was proposing that the funds come out of the Parks Fund, Fund Reserve.

Mr. Paskiewicz stated that a clay liner is generally put on the dam to prevent leaking of this nature. Leaving the liner out would open yourself up to leaks in the future. He explained that the dam is about 12 feet tall and 215 feet long. The dam would be removed completely. They would then reconstruct the dam from the bottom up and put the clay liner on. They would also put an overflow pipe in. As part of this, they would excavate the pond down to 5-12 feet depths. It is currently 4-6 feet deep. Increasing the depth could help with the vegetation growth issues. The excavation material that would come out of the pond and be placed in another area that will have plantings. Councilmember Moore inquired if it we become another native grass area. Mr. Paskiewicz said it would be similar to that with flowers. Councilmember Mastorakos inquired about the turtles and snakes in the pond. Director McCarthy stated that as many as possible would be relocated by the Parks Maintenance team.

Councilmember McGuinness asked how you aerate the pond and if the money for that is included in the project because she felt moving water was better than stagnant water. Director McCarthy explained that if it gets deeper, then it would get easier to aerate the area. Councilmember McGuinness stated that the stagnant water was breeding mosquitoes. Director McCarthy explained that part of the natural process of the pond is that the fish are eating mosquito larvae and frogs and the salamanders and bats. Councilmember Moore inquired as to whether the other wildlife would be disturbed if the pond was aerated and Director McCarthy stated that it would. Mr. Paskiewicz explained that it would change the environment. Some things would move out and some would move in.

Councilmember McGuinness asked if it smelled because it looked smelly. Councilmember Moore stated that it did not.

Councilmember Budoor asked what the downside was to Option 1. Mr. Paskiewicz stated that the funding was the only downside. It was also asked if the old dam could be left in place and a new one constructed but that proposal would change the location. Councilmember Mastorakos asked if the Parks Department would stock the pond afterwards. Director McCarthy stated that he would talk to

the Missouri Department of Conservation and look at their recommendation but that it was not designed as a fishing pond now and there were several other fishing areas in Chesterfield.

Councilmember Hansen inquired about the potential silt build up and Mr. Paskiewicz stated that silt was not a large problem but more so leaves falling from trees, but that it would be decades before that became any kind of an issue after the dredging. Councilmember Budoor asked about the lifespan of the dam to which Mr. Paskiewicz stated that it would be decades to indefinitely as long as trees are kept off the side of the new dam.

Councilmember Budoor as what will be the lessons learned from this project. Mr. Paskiewicz stated that he didn't think the City could have found it prior even though there was a wet area down from the lake because they couldn't have traced it back to where it was. It had always been wet since the City acquired the property so it was assumed that this was a wet area.

Councilmember Mastorakos stated that this is a nice, popular park and worth doing this project. Councilmember Moore added that this will become an even more popular park and will encourage even more walking once the trail is completed.

Councilmember McGuinness asked how the Design consultant worked. She is amazed that they missed this issue. Do they work closely with the City? Director McCarthy recapped Mr. Geisel's statement that the reason the City is in this predicament is because when the city acquired this property, we tried to do the work creating the trails ourselves. If we had Horner and Shifrin design this in the beginning then we probably wouldn't have been in this position now. We are in this position because the trail failed.

Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve Option 1 and move it on to full council.

Mr. Paskiewicz explained that Option 2 was to do nothing and leave the existing dam in place and repairs would have to be done sometime in the future. Part of that would mean the concrete trails would terminate on both sides of the dam. A temporary mulch connection could be put on top of the dam. It would not be ADA accessible as the current plan calls for. The trail system as designed currently has a 5% or less grade. Director McCarthy added that there is a "soft" spot on top of the dam that would have to be addressed. Mr. Paskiewicz added that the contractor is currently on site and bringing one back at a later date adds disruption to the park as well as the cost savings of having a current contractor on site and not have to bring everything back again.

Councilmember Budoor inquired as to how many quotes we had on this project. It was believed that there were two bids.

Councilmember Hansen asked if the real downside with option 2 is that it is not ADA accessible. Director McCarthy explained that in addition to not being ADA accessible, it would also not be all weather. The cost would have to be kicked down the road. Mr. Paskiewicz explained that the mulch trail would be fairly narrow and people would have to walk single file and there is some sinking where the leaking is occurring.

Councilmember Moore stated that we are able to create the trail with ARPA money and it seems worth fixing now that problem has been uncovered. Councilmember Budoor asked if the trail will be closed. Mr. Paskiewicz explained that there will be access to the dog park and community garden at all times. It was also stated that if approved at the council meeting on the 6th, work with the contractor on scope and fees would begin. Work on the trail has already started. The pond would need to be dewatered, along with relocation of as much wildlife as possible by the Parks maintenance team.

Councilmember McGuinness asked if there was a charge for the change order. Mr. Paskiewicz stated that there was no charge for the change; the charge was for the additional work needed. Councilmember McGuinness asked if the design consultant would be coming back. Mr. Paskiewicz explained that they are onsite daily. She feels they are responsible for this because they are the professionals.

Councilmember Budoor asked if we needed a second opinion. Mr. Wolff stated that based on the condition and amount of vegetation on it, it needs to be completely removed and replaced.

There being no further discussion, the motion was passed by a voice vote of 4 to 0.

Councilmember Mastorakos inquired if we ever drain/dredge city water features. Director McCarthy explained that we remove cat tails from Central Park annually, but would have to hire out a project to dredge if needed. River's Edge used to be 30 feet deep but it gets a large amount of debris and potentially trees deposited in the lake when the park floods.

It was also stated that the contractors had been given 120 days originally to complete the project. The additional dam repair is expected to take another 30 days.

Agenda Item #1: Approval of Meeting Results

The meeting results of the August 23, 2022 Parks, Recreation & Arts Committee of Council Meeting were submitted for approval. Councilmember Mastorakos made a motion, seconded by Councilmember Moore, to approve the meeting results. Councilmember McGuinness stated that she felt that some councilmembers felt that green space was the motivation for buying the 8 acres and was not parking. It was green space. Green space gives visual relief from the concrete space. It is a high priority on the list. The concern is this is going to be the party line with the mayor hammering it. That wasn't the motivation for her and her colleague in Ward I. She knows we need parking there and they're trying to resolve that with the TIF but that was another thing the city did years ago was put in an amphitheater when there with no parking just like they didn't fix this dam. She would like included in the minutes that she stated that. She would like to insert that McGuinness made the point several times that parking was not the primary motivation for some. She stated that everyone has different points of view and since this becomes the official record of the meeting, she wanted it stated so it didn't look like that was ok for her.

Councilmember Mastorakos asked what section of the minutes she was referring to (page 3, agenda item #5)

She stated there was no point of her coming to these meetings if what she says isn't considered and part of the record.

She felt she was clear that that wasn't part of her motivation and several others. She stated, we need green space in this town and we try to force developers to conserve green space and the least we can do is to do it ourselves. There will already be a road on the 8 acres and we need visual relief. She refers to Central Park in New York as an example of preserving green space.

Councilmember McGuinness would like included somewhere in the meeting results that "Councilmember McGuinness made the point several times that parking was not the primary motivation of some members of the council."

Councilmember Guinness moved to amend the motion by adding "Councilmember McGuinness made the point several times that parking was not the motivation for some of the City councilmembers."

Director McCarthy explained that he did not say that the reason they purchased the property was primarily for parking. That was one of the primary reasons. The cost of putting in parking was 13 million dollars to put in a parking garage and it was around 8 million to acquire this property.

The amendment was seconded by Councilmember Moore. There being no further discussion, the amendment passed by a voice vote of 4 to 0.

It was asked for a reading back of the amendment.

Councilmember McGuinness asked that a statement be included that said, "Councilmember McGuinness made the point that some did not feel that main motivation in acquiring the property across from the amphitheater was for parking."

Councilmember McGuinness wanted it to say "Made the point that several councilmembers. The main motivation for some councilmembers was not parking but parking is important but preserving green space and giving visual relief from concrete streets and all the building going on there." She further added, that "we wanted to prevent it from being multi-family housing."

It was agreed that the wording was needed to take the vote.

Councilmember Moore suggested that the last paragraph on page 3, agenda item #5, last paragraph read, "Other councilmembers refuted that saying that the primary reason for acquiring the property was for green space." Councilmember McGuinness stated that her name should be included. The mayor got on the news and said the main reason was for parking and we said "What the hell? Shut up"

"Councilmember McGuinness repeatedly said that that was not the reason for acquiring the property, for some members of the council and that green space is important."

Councilmembers agreed by consensus that the prior statement is the one that should be entered into last month's meeting results. There was no vote on the motion (only the amendment).

Agenda Item #3: Track Loader

Director McCarthy explained that the skid steer track loader that Parks uses is different than the track loaders that Public Works uses. Public Works uses wheeled skid steers and this one uses a belt instead of tires (see attached picture). This is the one used in parks on a daily basis. The current one is in need of expensive repairs and it would not be fiscally responsible to repair it based on the mechanics review from Public Works. The money needed to purchase a new track loader is available in the salaries budget because we have been unable to hire so many needed employees throughout the year.

Councilmember Moore moved to approve the Parks recommendation to purchase a new Track Loader at the cost of \$47,389.44 and move the recommendation on to full council. Councilmember McGuinness seconded the motion.

Councilmember McGuinness inquired as to when we could take delivery. Director McCarthy stated that he hoped one was in stock or we could get one in the next few weeks.

There being no further discussion, the motion was passed by a voice vote of 4 to 0.

Agenda Item #4: Unfinished Business

No unfinished business.

Agenda Item #5: New Business

No new business.

Agenda Item #6: Adjournment

There being no further business to discuss, Chairperson Budoor adjourned the meeting at 1:00 p.m.