

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD

August 6, 2001

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

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Charles Scheidt

ABSENT

None

Mayor John Nations led those in attendance in the Pledge of Allegiance and followed with a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the July 16, 2001, City Council meeting were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations announced that the election for Councilmember to fill the vacancy in Ward II would take place Tuesday, August 7 and urged everyone in that Ward to vote.

Mayor Nations next announced that "National Night Out" has been scheduled for the evening of August 7 and invited all residents to join the Police Department in this unique crime prevention neighborhood event.

COMMUNICATIONS AND PETITIONS

Steve LoGrasso, who resides at 14165 Cross Trails Drive, opposed the Missouri Department of Transportation's (MoDOT) plan for redeveloping the Highway 141 and Ladue Road intersection and suggested that the City of Chesterfield, Town and Country and Creve Coeur conduct a study that could present a more conducive plan to the residents and preserve the integrity of the area.

Mayor Nations stated that the City of Chesterfield is working on the Highway 141 redevelopment issue with officials of Creve Coeur, Town and Country and Maryland Heights to approach MoDOT with a coordinated effort. Public Works staff and City Engineers from these municipalities are reviewing the MoDOT study and working on realistic alternative options. Mayor Nations stated that the City of Chesterfield is impacted the most by the MoDOT proposal and Mayor Nations stated he has spent the majority of his time since becoming Mayor on this issue. Mayor Nations urged the Public Works/Parks Committee to work expeditiously since there is a limited time frame to offer an alternative proposal to MoDOT.

Mike Horton, who resides at 14151 Ladue Road, opposed the Missouri Department of Transportation's (MoDOT) plan for redeveloping the Highway 141 and Ladue Road intersection.

Barry Haymore, who resides at 13384 Walfield Lane, opposed the Missouri Department of Transportation's (MoDOT) plan for redeveloping the Highway 141 and Ladue Road intersection and suggested putting into place a mechanism to accept input from the residents.

Martin Wohl, who resides at 14185 Crosstrails Drive, opposed the Missouri Department of Transportation's (MoDOT) plan for redeveloping the Highway 141 and Ladue Road intersection and suggested hiring an independent engineer to do a study of the intersection.

Carl Baggett, who resides at 730 Walfield Lane, opposed the Missouri Department of Transportation's (MoDOT) plan for redeveloping the Highway 141 and Ladue Road intersection and suggested placing the roadway in the flood plain.

Warren Busch, who resides at 13342 Olive Street Road, expressed his opposition to parking violations regarding his roadside produce stand.

Steve Koslovsky, 168 N. Meramec, petitioner for the developer, supported Bill No. 1985, P.Z. 14-2001, Valley Partners.

Mike Doster, 16476 Chesterfield Airport Road, petitioner for the developer, supported Bill Nos. 1991 and 1992, P.Z. 44-2000, Stoneridge Development.

APPOINTMENTS

Mayor John Nations placed the name of Jack Giebe in nomination for re-appointment to the Police Personnel Board. Councilmember Casey made a motion, seconded by Councilmember Hurt, to re-appoint Mr. Giebe to the Police Personnel Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Giebe's term will expire August 15, 2004.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1990, which sets the tax rate for the debt service for the Parks Bond Issue, will be given a first reading under the "Legislation" portion of the agenda.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1980 (adopts amendments to the building, electrical, plumbing and mechanical codes as amended by St. Louis County), Bill No. 1981 (removes stop signs on Edison Avenue and places stop signs on Goddard Avenue at the intersection), Bill No. 1982 (designates Edison Avenue as a through street) and Bill No. 1983 (designates Goddard Avenue as a through street) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Casey announced that a tentative meeting of this Committee has been scheduled for August 23.

Planning and Zoning Committee

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, reported that Resolution No. 274 amends the City of Chesterfield Comprehensive Plan. Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, that Resolution No. 274 be held until the next City Council meeting, August 20, but that the transportation portion of that Resolution be considered for adoption by amendment at this meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Resolution No. 274 with regard to the transportation portion was approved.

Councilmember Scheidt made a motion, seconded by Councilmember Brown, to refer the recommendation regarding the pedestrian signal at Baxter Road at the Jewish Community Center Association to the Planning and Zoning Committee for further review, at a date to be determined by the Ward IV Councilmembers. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt reported that Bill No. 1985 (P.Z. 14-2001, Valley Partners) and Bill No. 1987 (P.Z.07-2001, Chesterfield Technology Park) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Scheidt reported that Bill Nos. 1991 and 1992 (P.Z. 44-2000, Stoneridge Development) and Bill No. 1993 (proposed revisions to Ordinance No. 1345 (tree ordinance) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda. Councilmember Hurt made a motion, seconded by Councilmember Casey, to send Bill Nos. 1991 and 1992 back to the Planning Commission with the request that the Commission consider a change in zoning for the proposed development to “R-5.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt announced that the next meeting of this Committee will take place on August 9 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that proposals were recently sought from engineering firms for design services associated with the repair of the agricultural levee, located on the Chesterfield Valley Athletic Complex property, adjacent to the Missouri River. As directed by the Public Works/Parks Committee, these proposals were sought and evaluated and, based upon Mr. McGownd’s recommendation, and supported by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with them in recommending that City Council authorize the City Administrator to execute a contract with Horner and Shifrin, in an amount not to exceed \$36,460. Additionally, he recommended that a transfer of \$36,460, from Contingency, be authorized. Councilmember Casey made a motion, seconded by Councilmember Streeter, to authorize the City Administrator to execute a contract with Horner and Shifrin, in an amount not to exceed \$36,460 and that authorization be given for a transfer of \$36,460 from Contingency. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that City Council had previously awarded a contract to Kelp Contracting in the amount of \$802,800 for street reconstruction in Area “D.” As Staff has continued to inspect streets in this area, in order to finalize the scope of this construction project, it has become obvious that the area of construction should be expanded. Mr. Herring joined with Mr. Geisel in recommending that the previous bid approval be expanded and that an additional amount of \$100,911 be added to that previous contract with Kelp Construction, bringing the total for that contract to \$903,711. Mr. Herring assured City Council that cost reductions on other street reconstruction projects have been realized and that sufficient funds remain in the 2001 Budget to accomplish this work. Councilmember Brown made a motion, seconded by Councilmember Casey, to expand the area of reconstruction in Area “D” and that an additional amount of \$100,911 be added to that previous contract with Kelp

Construction, bringing the total for that contract to \$903,711. 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, in conjunction with the construction of the new Government Center, for audio visual systems. Based upon a review of the bids submitted by Bond + Wolfe, Mr. Herring joined with Mr. Geisel in recommending that the low bid submitted by Sonacom, totaling \$186,630, be approved. In addition, Mr. Herring joined with the architect and Mr. Geisel in recommending that the actual contract with Sonacom be for the amount of \$196,500, which includes approximately 5 percent for contingencies. The budget for this particular phase of work equals \$196,500. Councilmember Casey made a motion, seconded by Councilmember Streeter, to approve the bid submitted by Sonacom, totaling \$186,630 and that the actual contract with Sonacom be for the amount of \$196,500, which includes approximately 5 percent for contingencies. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought for the installation of a new telephone system at the proposed Government Center. Based upon a recommendation made by the telephone consultant, hired by architects Bond + Wolfe, as well as the recommendation developed by Director of Finance and Administration Jan Hawn and Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with each of them in recommending award of a contract for this project to Tech Electronics, in an amount not to exceed \$119,000, based upon their actual bid of \$111,984 and including a five percent contingency for unexpected changes at the time of installation. The amount contained within the construction budget for this component of work totaled \$150,000 and, as a result, this bid is under budget. Councilmember Casey made a motion, seconded by Councilmember Streeter, to award a contract for this project to Tech Electronics, in an amount not to exceed \$119,000, based upon their actual bid of \$111,984 and including a five percent contingency for unexpected changes at the time of installation. A voice vote was taken with an affirmative result (Councilmember Durrell “Abstained”) and the motion was declared passed.

Mr. Herring next reported that authorization is being sought from City Council to increase the total overall contract authorization, with Schneider Electric, by a total additional amount of \$35,000. That would increase the original contract to a new total of \$1,572,515. Mr. Herring stated that this additional amount is provided for within the contingencies established for this construction project and that this project remains under budget. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to increase the total overall contract authorization, with Schneider Electric, by a total additional amount of \$35,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that authorization is being sought to approve a change order for the storm sewer system, in an amount not to exceed \$11,000, over the current authorized contractual amount with Fred Luth & Sons, Inc. That would bring the total contractual amount to \$532,549. Mr. Herring stated that adequate funds exist within the

budget to cover this entire expense. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve a change order for the storm sewer system, in an amount not to exceed \$11,000, over the current authorized contractual amount with Fred Luth & Sons, Inc. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that it is necessary to approve a change order with regard to the contract between Bill Lippold/Lou Mertens dba Mertens Plumbing, formerly Myron Plumbing and that the original contract for plumbing work be increased by \$20,000, making the new total \$400,534. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve a change order with regard to the contract between Bill Lippold/Lou Mertens dba Mertens Plumbing and that the original contract for plumbing work be increased by \$20,000, making the new total \$400,534. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1980 ADOPTS AND ENACTS THE AMENDMENTS TO THE BUILDING CODE, ELECTRICAL CODE, PLUMBING CODE AND MECHANICAL CODE AS AMENDED BY ST. LOUIS COUNTY (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE)

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1980. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1980 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1980, with the following results: Ayes – Scheidt, Flachsbar, Casey, Streeter, Durrell, Hurt and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 1980 approved, passed it and it became **ORDINANCE NO. 1768**.

BILL NO. 1981 AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY DELETING A PROVISION FOR STOP SIGNS ON EDISON AVENUE AT THE INTERSECTION OF EDISON AVENUE AND GODDARD AVENUE AND ADDING A PROVISION FOR STOP SIGNS ON GODDARD AVENUE AT THE INTERSECTION OF EDISON AVENUE AND GODDARD AVENUE THERETO (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE)

Councilmember Casey made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 1981. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1981 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1981, with the following results: Ayes – Streeter, Brown, Flachsbart, Scheidt, Hurt, Casey and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 1981 approved, passed it and it became **ORDINANCE NO. 1769.**

BILL NO. 1982 AMENDS ORDINANCE NO. 35, SCHEDULE V OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY DELETING EDISION AVENUE, EAST OF GODDARD AVENUE, AND ADDING EDISION AVENUE TO SAID SCHEDULE V (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE)

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No.1982. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1982 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1982, with the following results: Ayes – Flachsbart, Brown, Hurt, Streeter, Casey, Durrell, and Scheidt . Nays - None. Whereupon Mayor Nations declared Bill No. 1982 approved, passed it and it became **ORDINANCE NO. 1770.**

BILL NO. 1983 AMENDS ORDINANCE NO. 35, SCHEDULE V OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING GODDARD AVENUE, NORTH OF EDISON AVENUE TO SAID SCHEDULE V (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE)

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1983. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1983 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1983, with the following results: Ayes – Durrell, Scheidt, Brown, Hurt, Casey, Streeter and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 1983 approved, passed it and it became **ORDINANCE NO. 1771.**

BILL NO. 1990 FIXES THE RATE OF TAXATION FOR THE YEAR 2001 AND LEVIES A TAX ON ALL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD, MISSOURI, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE GENERAL OBLIGATION BOND ISSUE FOR PARKS; EFFECTIVE WHEN (**FIRST READING** – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 1990. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1990 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1985 REQUESTS A CHANGE OF ZONING FROM “C-8” PLANNED COMMERCIAL DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR 15.841 ACRES OF LAND LOCATED NORTH OF CHESTERFIELD AIRPORT ROAD ACROSS FROM PUBLIC WORKS DRIVE (P.Z. 14-2001 VALLEY PARTNERS) (**SECOND READING** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1985. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt made a motion, seconded by Councilmember Casey, to amend the project identification sign from the sign criteria as reflected in Exhibit 2 and added a second monument sign along Chesterfield Airport Road. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1985 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No. 1985, with the following results: Ayes – Casey, Streeter, Brown, Durrell, Scheidt, Flachsbart and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 1985 approved, passed it and it became **ORDINANCE NO. 1772.**

BILL NO. 1987 REQUESTS A CHANGE OF ZONING FROM A “NU” NON-URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT, FOR A 21.643 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD AND EAST OF PUBLIC WORKS DRIVE (P.Z. 07-2001 THF TECHNOLOGY PARK II) (**SECOND READING** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1987. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1987 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1987, with the following results: Ayes – Streeter, Hurt, Durrell, Brown, Scheidt, and Casey. Nays - Flachsbart. Whereupon Mayor Nations declared Bill No. 1987 approved, passed it and it became **ORDINANCE NO. 1773.**

BILL NO. 1993 REVISES ORDINANCE NO. 1345 RELATIVE TO TREE PROTECTION AND TREE STANDARDS WITHIN THE CITY OF CHESTERFIELD (**FIRST READING** – PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 1993. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1993 was read for the first time.

ADJOURNMENT

Mayor Nations entertained a motion to adjourn the meeting. Councilmember Casey made a motion to adjourn the meeting. Councilmember Durrell seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:15 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk