



RECORD OF PROCEEDING

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

JANUARY 18, 2017

The meeting was called to order at 7:05 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 Barbara McGuinness
Councilmember Bridget Nations
Councilmember Guy Tilman
Councilmember Dan Hurt
Councilmember Randy Logan
Councilmember Tom DeCampi
Councilmember Nathan Roach

APPROVAL OF MINUTES

The minutes of the January 4, 2017 City Council meeting were submitted for approval. Councilmember McGuinness made a motion, seconded by Councilmember Tilman, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the January 4, 2017 Executive Session were submitted for approval. Councilmember Tilman made a motion, seconded by Councilmember Nations, to approve the Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that candidate filing for the April 4, 2017 Municipal Election closed January 17th. The names of the candidates were announced and Mayor Nation recognized those in attendance:

Mayor

Bob Nation (incumbent)
Randy Logan

Councilmember – Ward I

Barbara McGuinness (incumbent)

Councilmember – Ward II

Ben Keathley
Aaron Wahl
Ryan Miano
Christopher Natsch

Ward III

Dan Hurt (incumbent)

Ward IV

Matthew White
Nathan Roach (incumbent)
Michelle Ohley

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, February 6, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mr. Pat Flynn, 1053 Appalachian Trail, spoke in support of Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC).

Mr. Robin Harris, Director of Monarch Fire Protection District, asked Council to delay action pertaining to Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC) to allow consideration of the potential for increased demand on the fire protection district and reconcile tax and revenue issues.

Mr. Dan Buck, 2803 Barvilla Court, Ballwin, spoke in support of Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC).

Mr. Mike Doster, 16090 Swingley Ridge, spoke in support of Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]) and stated he was present to answer questions.

Mr. George Stock, 257 Chesterfield Business Parkway, stated he was present to answer questions pertaining to Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]).

Mr. Scott Reese, partnership owner of Hardee's IcePlex, stated he was present to answer questions pertaining to Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]).

Mr. Rob Kilo, 16734 Benton Taylor Drive, thanked City Council for their efforts to preserve a shared bicycle lane on Baxter Road, as opposed to the proposed dedicated bicycle lane.

Mr. Steven Hannah, 293 Ridge Trail Court, spoke on behalf of River Bend subdivision residents in support of the River Valley Drive Closure Redesign.

Mr. Tony Stratman, 11732 Doverhill Drive, spoke in support of Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]).

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, invited Councilmember McGuinness to present information pertaining to the proposed redesign of the River Valley Drive closure. Councilmember Flachsbart then made a motion, seconded by Councilmember McGuinness, to approve the River Valley Drive closure redesign and authorize a transfer of \$203,000 from General Fund – Fund Reserves. A roll call vote was taken with the following results: Ayes – Hurt, Tilman, Flachsbart, Roach, Nations, DeCampi, Logan and McGuinness. Nays – None. Whereupon Mayor Nation declared the motion passed.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to accept staff recommendations regarding Public Works Policy Nos. 18 and 23-28. Public Works Policy Nos. 18, 23, 25 and 28 (Maintenance of Storm Sewers, Detention Basins and Open Channels; Stop Signs; Stop Bars; Street Grade) to be revised as noted and Policy No. 27 (Stormwater Standards) to be eliminated. Policy Nos. 24 and 26 (Sprinkler Systems in Right-of-Way and Driveway Apron Replacement) are to remain unchanged and Policy No. 29 (Donations for Park Improvements) will be addressed by the Parks, Recreation and Arts Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that Bill No. 3110 (P.Z. 04-2016 US Ice Sports Complex & Valley Gates [Topgolf USA Chesterfield LLC]) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3131 (Establishment of Sewer Easement for Watermark Development) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3132 (Ameren Missouri: Franchise Agreement) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt reported that Bill No. 3133 (Ameren Missouri: Streetlight Agreement) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, January 19, at 5:30 p.m. and this meeting was scheduled as a Committee of the Whole for the purpose of discussing the development review process.

Finance and Administration Committee

Councilmember Tom DeCampi, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for Monday, January 23, at 3:30 p.m.

Parks, Recreation & Arts Committee

Councilmember Barbara McGuinness, Chairperson of the Parks, Recreation & Arts Committee, announced that the next meeting of this Committee has been scheduled for Thursday, January 19, at 10:00 a.m.

Public Health & Safety Committee

Councilmember Bridget Nations, Chairperson of the Public Health & Safety Committee, indicated that she had no report this evening.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel stated that he has recommended promoting Senior Planner Justin Wyse, AICP, to the soon to be vacant position of Director of Planning and Development Services. In accordance with City code, the hiring of this position requires the consent of City Council. Councilmember Flachsbart made a motion, seconded by Councilmember Tilman, to approve this promotion effective February 3, 2017. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel announced that the City entered into a letter of intent describing the terms of a lease and development proposal for a significant sports property east of the Chesterfield Valley Athletic Complex. In conjunction with that development, the City entered into a land purchase contract with Successful Investors LLC. Mr. Geisel recommended amending the existing proposed Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC) to eliminate authorization to purchase the 22 acres at this time; the property may still be purchased after Big Sports has provided financial commitments of \$23 million, prior to June 1, 2017. Other recommended amendments include assurance that agreement does not restrict use of lease revenues; purchase of land is contingent upon Big Sports' purchase of the Chesterfield Group parcel and sub-lessors of the City owned property will be prohibited from competing with City services. Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to approve Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC) as amended.

Councilmember DeCampi made a motion, seconded by Councilmember McGuinness, to postpone this vote until the next regularly scheduled meeting to allow time to discuss potential impact on Monarch Fire Protection District services. Discussion ensued. A roll call vote was taken with the following results: Ayes – McGuinness, Hurt and DeCampi. Nays – Flachsbart, Logan, Tilman and Nations. Abstain – Roach. Whereupon Mayor Nation declared the motion failed.

Lengthy discussion ensued and a roll call vote was taken on the original motion to approve Resolution No. 430 (Development and Ground Lease Agreement by and Between the City of Chesterfield and Big Sports Properties, LLC) as amended, with the following results: Ayes – Flachsbart, Nations, Tilman and Logan. Nays – DeCampi, Hurt and McGuinness. Abstain – Roach. Whereupon Mayor Nation declared the motion passed.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Councilmember DeCampi asked for an update on the request presented at the August 15, 2016 City Council meeting, to extend the existing Transportation Development District (TDD) sales tax in the Valley in order to support Chesterfield Hockey. Mayor Nation and City Administrator Mike Geisel responded that they have not had any further communication or correspondence from that group.

LEGISLATION

BILL NO. 3110 AMENDS THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF TWO EXISTING "PC" PLANNED COMMERCIAL DISTRICTS TO A NEW "PC" PLANNED COMMERCIAL DISTRICT FOR A 22.22 ACRE TRACT OF LAND LOCATED NORTH OF NORTH OUTER 40 ROAD AND EAST OF BOONE'S CROSSING (P.Z. 04-2016 US ICE SPORTS COMPLEX & VALLEY GATES [TOPGOLF USA CHESTERFIELD LLC.]—17T510041, 17T520062, 17T520095, 17T520084) (SECOND READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)

Councilmember Hurt made a motion, seconded by Councilmember Nations, to accept green sheet amendment 1 concerning access and green space. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to accept green sheet amendment 2, that came forward without recommendation, allowing building height of 60 feet. Discussion ensued. A roll call vote was taken with the following results: Ayes – Flachsbart, DeCampi, Tilman, Logan, McGuinness, Nations and Roach. Nays – Hurt. Whereupon Mayor Nation declared the motion passed.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3110. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3110 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3110, as amended, with the following results: Ayes – Nations, McGuinness, Tilman, Roach, DeCampi, Hurt, Logan and Flachsbart. Nays – None. Whereupon Mayor Nation declared Bill No. 3110 approved, passed it and it became **ORDINANCE NO. 2932**.

BILL NO. 3131 AUTHORIZES THE MAYOR TO EXECUTE A STORM SEWER EASEMENT IN CONJUNCTION WITH THE DEVELOPMENT OF A MULTI-FAMILY DEVELOPMENT AT 16300 LYDIA HILL DRIVE (18T321095) (FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3131. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3131 was read for the first time.

BILL NO. 3132 RENEWS AN EXISTING FRANCHISE AND GRANTING FOR A PERIOD OF TWENTY (20) YEARS TO UNION ELECTRIC COMPANY D/B/A AMEREN MISSOURI, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE, AND USE ALL EQUIPMENT, FACILITIES, DEVICES, MATERIALS, APPARATUS OR MEDIA INCLUDING BUT NOT LIMITED TO DUCTS, LINES, PIPES, HOSES, CABLES, CULVERTS, TUBES, POLES, TOWERS, WIRES, CONDUITS, CONDUCTORS, MANHOLES, TRANSFORMERS, UNDERGROUND VAULTS, SWITCHGEAR, CAPACITORS, RECEIVERS, AND TRANSMITTERS, WITH ALL NECESSARY OR APPROPRIATE APPURTENANCES AND APPLIANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES, AND OTHER PUBLIC PLACES IN THE CITY OF CHESTERFIELD AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING AND DISTRIBUTING ELECTRICITY WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH (FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the first reading of Bill No. 3132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3132 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Logan, to suspend the rules to allow second reading of Bill No. 3132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

[Councilmember Flachsbart left the meeting.]

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3132 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3132 with the following results: Ayes – DeCampi, Roach, Nations, Logan, Tilman, McGuinness and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 3132 approved, passed it and it became **ORDINANCE NO. 2933**.

**BILL NO. 3133 PROVIDES FOR THE LIGHTING BY ELECTRICITY OF THE
STREETS, AVENUES, ALLEYS, AND OTHER PUBLIC
PLACES IN THE CITY OF CHESTERFIELD, IN THE STATE OF
MISSOURI, AND OTHER ELECTRIC SERVICE
REQUIREMENTS OF THE CITY, BY CONTRACT, SETTING
FORTH THE TERMS OF THE PROPOSED CONTRACT
THEREFORE BETWEEN THE CITY AND UNION ELECTRIC
COMPANY D/B/A AMEREN MISSOURI, ITS SUCCESSORS
AND ASSIGNS, AND PERMITTING SAID COMPANY TO
ERECT, OPERATE, AND MAINTAIN POLES, LINES, WIRES,
CABLES, TRANSFORMERS, AND OTHER APPLIANCES IN
THE STREETS AND ALL OTHER PUBLIC PLACES,
NECESSARY FOR AND APPRECIATE TO THE
PERFORMANCE OF SAID CONTRACT AS DESCRIBED
HEREIN (FIRST READING; PLANNING & PUBLIC WORKS
COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Nations, for the first reading of Bill No. 3133. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3133 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Logan, to suspend the rules to allow second reading of Bill No. 3133. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Tilman, for the second reading of Bill No. 3133. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3133 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3133 with the following results: Ayes – Nations, DeCampi, Roach, Hurt, Tilman, Logan and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3133 approved, passed it and it became **ORDINANCE NO. 2934**.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:57 p.m.


Bob Nation
Mayor Bob Nation

ATTEST:

Vickie J. Haas
Vickie J. Haas, City Clerk

APPROVED BY CITY COUNCIL: 2/6/17