



## RECORD OF PROCEEDING

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

**FEBRUARY 21, 2018**

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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

Mayor Bob Nation  
Councilmember Barbara McGuinness  
Councilmember Ben Keathley  
Councilmember Guy Tilman  
Councilmember Dan Hurt  
Councilmember Randy Logan  
Councilmember Michelle Ohley

#### ABSENT

Councilmember Tom DeCampi  
Councilmember Barry Flachsbart

#### APPROVAL OF MINUTES

The minutes of the February 5, 2018 City Council meeting were submitted for approval. Councilmember Ohley 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.

## **COMMUNICATIONS AND PETITIONS**

The Citizens Committee for the Environment recognized two individuals for their contributions to the community relative to sustainability and environmental preservation. Ms. Judy Smith was recognized as the 61<sup>st</sup> Green Team recipient. Ms. Elaine Collins was recognized as the 62<sup>nd</sup> Green Team recipient.

Mr. Stan McCurdy, 10411 Clayton Road, stated that he was available to answer any questions pertaining to Bill No. 3177 (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) and Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]).

Mr. Bryan Aston, 10411 Clayton Road, stated that he was available to answer any questions pertaining to Bill No. 3177 (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) and Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]).

Ms. Debbie Rowan, 16030 Meadow Oak Drive, spoke in opposition to the proposed Clarkson Wilson Center rezoning.

Ms. Antoinette Hodges, 16072 Meadow Oak Drive, spoke in opposition to the proposed Clarkson Wilson Center rezoning.

Mr. Paul Bostick, 2139 Heather Glen Drive, spoke in opposition to the proposed Clarkson Wilson Center rezoning.

## **INTRODUCTORY REMARKS**

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, March 5, at 7 p.m. He also announced that the Finance and Administration meeting which had been scheduled for Monday, February 26 had been cancelled and not yet re-scheduled. The Planning Commission meeting originally scheduled for Monday, February 26 was also cancelled.

## **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

### **Planning/Public Works Committee**

Councilmember Guy Tilman, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3175 (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N

Outer 40 Rd]) Ordinance Amendment will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3176 (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd]) Ordinance Amendment will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3177 (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3178 (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development]) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Tilman reported that Bill No. 3185 (Fire Hydrants at the Grand Reserve Subdivision) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Tilman announced that the next meeting of this Committee has been scheduled for Thursday, February 22, at 5:45 p.m.

#### **Finance and Administration Committee**

Councilmember Barbara McGuinness, Vice-Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Tilman, to approve proposed Public Health and Safety Policy No. 22 (Chesterfield Alliance for Positive Youth). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Logan, to approve proposed Parks, Recreation and Arts Policy No. 7 (Updating the Parks and Recreation Citizens Advisory Committee). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Keathley, to approve proposed Parks, Recreation and Arts Policy No. 6 (Chesterfield Citizens Environmental Advisory Committee). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Keathley, to approve the proposed Finance and Administration Citizens Advisory Committee policy to eliminate the reference in the City Code as a statutory committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness reported that Bill No. 3180 (City Administrator's Compensation) will be considered for adoption under the "Legislation" portion of the agenda. Councilmember Hurt made a motion, seconded by Councilmember Logan, to postpone the second reading of this bill until the March 5 City Council meeting. A voice vote was taken with an affirmative result (Councilmembers Ohley and Keathley voted "No"). Councilmember Keathley requested a roll call vote. A roll call vote was taken with the following results: Ayes – Hurt, Tilman, Logan and McGuinness. Nays – Ohley and Keathley. Whereupon the motion to postpone was declared passed.

Councilmember McGuinness reported that Bill No. 3181 (Victims' Rights Ordinance) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember McGuinness reported that Bill No. 3182 (Public Works Board of Variance) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember McGuinness reported that Bill No. 3187 (Eliminates the establishment of the Finance and Administration Committee as a Statutory Committee) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember McGuinness reported that Bill No. 3186 (Repeals Ordinance No. 852 – Drug Abuse Coordinator) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember McGuinness announced that the next meeting of this Committee, scheduled for Monday, February 26, at 5:30 p.m., has been postponed to a date not yet scheduled.

#### **Parks, Recreation & Arts Committee**

Councilmember Randy Logan, Chairperson of the Parks, Recreation & Arts Committee, indicated that the next meeting of this Committee has not been scheduled. He advised that the Creative Arts Alliance would be conducting their "Arts Draft" this coming weekend and the City had prepared its list of desired artwork to select.

#### **Public Health & Safety Committee**

Councilmember Michelle Ohley, Vice-Chairperson of the Public Health & Safety Committee, indicated that she had no report this evening.

## **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel reported that Bill No. 3183 (Renewal of St. Louis County Communications Contract) will be considered for adoption under the "Legislation" portion of the agenda.

Mr. Geisel reported that Staff has sought proposals for construction inspection services related to the City's annual capital construction program. Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending authorization for the City Administrator to execute a contract for construction inspection services with TSI Geotechnical in an amount not to exceed the budgeted amount of \$100,000. This work is fully funded through the Capital Projects fund. Councilmember Tilman made a motion, seconded by Councilmember Logan, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Keathley, McGuinness, Tilman, Ohley, Hurt and Logan. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel next reported that Russell's Café & Bakery, located at 14888 Clayton Road (former location of Panera Bread), has requested a new liquor license, to sell all kinds of liquor by the drink, to be consumed on premise, and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Logan made a motion, seconded by Councilmember Ohley, to approve issuance of a new liquor license to Russell's Café & Bakery. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **UNFINISHED BUSINESS**

There was no unfinished business.

## **NEW BUSINESS**

There was no new business.

## **LEGISLATION**

**BILL NO. 3181**      Amends Chapter 19 - Municipal Court of the Municipal Code of the City of Chesterfield, Missouri by adding Section 19-16 titled "Victim's Bill of Rights" **(Second Reading) F&A Committee recommends approval**

Councilmember McGuinness made a motion, seconded by Councilmember Keathley, for the second reading of Bill No. 3181. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3181 was read for the

second time. A roll call vote was taken for the passage and approval of Bill No. 3181 with the following results: Ayes – Hurt, Ohley, McGuinness, Tilman, Logan and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3181 approved, passed it and it became **ORDINANCE NO. 2984.**

**BILL NO. 3182** Authorizes the elimination of the Public Works Board of Variance  
**(Second Reading) F&A Committee recommends approval**

Councilmember McGuinness made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3182. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3182 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3182 with the following results: Ayes – Ohley, Hurt, Logan, Keathley, Tilman and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3182 approved, passed it and it became **ORDINANCE NO. 2985.**

**BILL NO. 3183** Authorizes the City Administrator of the City of Chesterfield to execute a renewal agreement with St. Louis County for the establishment of a communications agreement between the City of Chesterfield and St. Louis County **(Second Reading)**

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3183. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3183 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3183 with the following results: Ayes – Keathley, Tilman, McGuinness, Ohley, Logan and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 3183 approved, passed it and it became **ORDINANCE NO. 2986.**

**BILL NO. 3187** Repeals the establishment of the Finance and Administration Citizens Committee as a statutory committee **(First Reading)**

Councilmember McGuinness made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3187. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3187 was read for the first time.

**BILL NO. 3185** Approves the installation of five fire hydrants at the Grand Reserve Subdivision located within the City of Chesterfield **(First & Second Readings) Department of Public Works recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3185. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3185 was read for the first time.

Councilmember Tilman made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3185. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3185 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3185 with the following results: Ayes – McGuinness, Tilman, Ohley, Logan, Keathley and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 3185 approved, passed it and it became **ORDINANCE NO. 2987.**

**BILL NO. 3186** Repeals Chapter 2, Article 5, Section 2-107, (Ordinance Number 582) of the City of Chesterfield Municipal Code, establishing the position of the coordinator of alcohol and drug abuse prevention  
**(First Reading) F&A Committee recommends approval**

Councilmember McGuinness made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3186. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3186 was read for the first time.

#### **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 3175** Repeals City of Chesterfield Ordinance Number 2055 to amend the legal description and development conditions for a 15.4 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 14-2017 Larry Enterprises-Lynch Hummer [17401 N Outer 40 Rd] 17U610139, 17U520258, 17U520269) **(Second Reading)**  
**Planning Commission recommends approval; Planning & Public Works Committee recommends approval, as amended**

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3175. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3175 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3175 with the following results: Ayes – Ohley, McGuinness, Hurt, Tilman, Keathley and Logan. Nays – None. Whereupon Mayor Nation declared Bill No. 3175 approved, passed it and it became **ORDINANCE NO. 2988.**

**BILL NO. 3176** Repeals City of Chesterfield Ordinance Number 2411 to amend the legal description and development conditions for a 7.0 acre tract of land, more or less, zoned “PI” Planned Industrial District located north of Highway 40/Interstate 64, west of Boone’s Crossing (P.Z. 15-2017 MPD Investments [14781 N Outer 40 Rd] 17U610139, 17U520258, 17U520269) **(Second Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Ohley, for the second reading of Bill No. 3176. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3176 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3176 with the following results: Ayes – Hurt, Tilman, Keathley, Ohley, Logan and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3176 approved, passed it and it became **ORDINANCE NO. 2989**.

[Councilmember DeCampi arrived at 8:00 p.m.]

**BILL NO. 3177** Amends City of Chesterfield Ordinance Number 2449 for a “PC&R” Planned Commercial and Residence District located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 19-2017 Downtown Chesterfield [Sachs Properties]) **(Second Reading) Planning Commission recommends approval. Blue Sheet amendment proposed to correct bearing provided in legal description at petitioner’s request**

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3177.

Councilmember Hurt made a motion, seconded by Councilmember Logan, to approve the blue sheet amendment. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

A voice vote was taken for the second reading of Bill No. 3177, with a unanimous affirmative result and the motion was declared passed. Bill No. 3177 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3177, as amended, with the following results: Ayes – Ohley, Keathley, Logan, Tilman, McGuinness, DeCampi and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 3177 approved, passed it and it became **ORDINANCE NO. 2990**.

**BILL NO. 3178** Amends the Unified Development Code of the City of Chesterfield by changing the boundaries of a “PC&R” Planned Commercial and Residential District, the “C8” Planned Commercial District and the “LLR” Large Lot Residential District to an “R-6AA” Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (P.Z. 17-2017 Aventura at Wild Horse Creek [Above All Development] 17T310016, 18T630173, 18T630205, 18T640226) **(Second Reading) Planning Commission recommends approval**

Councilmember Tilman made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3178. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3178 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3178 with the following results: Ayes – McGuinness, Hurt, Tilman, Keathley and Logan. Nays – Ohley and DeCampi. Whereupon Mayor Nation declared Bill No. 3178 approved, passed it and it became **ORDINANCE NO. 2991**.

**ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:07 p.m.

  
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Mayor Bob Nation

**ATTEST:**

  
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Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 3/5/2018