



## RECORD OF PROCEEDING

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

**JUNE 4, 2018**

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The meeting was called to order at 7:04 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 Ben Keathley  
Councilmember Mary Ann Mastorakos  
Councilmember Dan Hurt  
Councilmember Michael Moore  
Councilmember Tom DeCampi  
Councilmember Michelle Ohley

**APPROVAL OF MINUTES**

The minutes of the May 23, 2018 Executive Session were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Moore, to approve the May 23, 2018 Executive Session minutes. A voice vote was taken resulting in an affirmative 7 – 0 – 1 result, with Councilmember Flachsbart abstaining. Mayor Nation declared the motion passed and minutes approved.

The minutes of the May 23, 2018 City Council meeting were submitted for approval. Councilmember Hurt made a motion, seconded by Councilmember Keathley, to approve the May 23, 2018 City Council minutes. A voice vote was taken resulting in an affirmative 7 – 0 – 1 result, with Councilmember Flachsbart abstaining. Mayor Nation declared the motion passed and minutes approved.

### **COMMUNICATIONS AND PETITIONS**

Wendy Geckeler (26 Chesterfield Lakes Road) spoke in favor of environmentally sound deer management, bow hunting and requested additional information be provided regarding the impacts of an unmanaged deer population.

Mike Falkner (5055 New Baumgartner) offered to answer any questions regarding Bill No. 3204 - Falling Leaves Estates.

Ben Murphy (15696 Silverlake Court) spoke expressing his dissatisfaction for the Planning Commission appointment process, specifically an alleged gender based process, and his disappointment in not re-appointing Laura Luecking.

### **INTRODUCTORY REMARKS**

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

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, June 18, at 7 p.m.

### **APPOINTMENTS**

Mayor Nation offered the re-appointment of Municipal Judge Rick Brunk for a three year term. He explained that the term was only proposed for three years in lieu of the maximum four year term due to a mandatory retirement age. Mayor Nation asked for approval of the proposed resolution to re-appoint Municipal Judge Rick Brunk. Councilmember Hurt made a motion, seconded by Councilmember Mastorakos to approve the proposed resolution to reappoint Municipal Judge Rick Brunk for a three-year term to expire on June 11, 2021.

Councilmember Keathley made a motion to amend the proposed motion to approve the reappointment, by referring the reappointment to the Public Health and Safety Committee for further review and vetting. The motion to amend was seconded by Councilmember DeCampi.

Councilmember DeCampi then moved to further amend the proposed amendment referring the reappointment to the Public Health and Safety Committee, by referring the proposed appointment to the Public Health and Safety Committee of the Whole for review and vetting. The second motion to amend was seconded by Councilmember

Keathley. After much discussion, the second amendment failed by a 5-3 roll call vote: Ayes – Ohley, Keathley, and DeCampi; Nays - Flachsbart, McGuinness, Mastorakos, Moore and Hurt.

City Council then voted on the first motion to amend, which was to refer the proposed re-appointment to the Public Health and Safety Committee. The first motion to amend also failed by a 5-3 roll call vote: Ayes – Ohley, Keathley, and DeCampi; Nays - Flachsbart, McGuinness, Mastorakos, Moore and Hurt. Council then approved the proposed resolution by a 5-3 vote: Ayes – Flachsbart, McGuinness, Mastorakos, Moore and Hurt; Nays- Ohley, Keathley, and DeCampi becoming resolution #445.

Mayor Nation nominated Mr. Gene Schenberg for appointment to the Planning Commission to fill the vacancy created by the departure of Wendy Geckeler. Councilmember McGuinness made a motion, seconded by Councilmember Flachsbart, to appoint Mr. Gene Schenberg to the Planning Commission for a term of 4 years. Council voted 4-4, with Councilmembers DeCampi, Ohley, Mastorakos, and Keathley voting in opposition. The Mayor then broke the tie by casting his vote to approve the nomination.

Mayor Nation nominated Ms. Ferne Wiesenthal (Wolf) for appointment to the Human Rights Commission. Councilmember Flachsbart made a motion, seconded by Councilmember Mastorakos, to appoint Ms. Ferne Wiesenthal (Wolf) to the Human Rights Commission for a three year term. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Michelle Ohley, Chairperson of the Planning/Public Works Committee, reported that Bill No. 3200 (P.Z. 02-2018 Summit-Topgolf) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Ohley reported that Bill No. 3201 (Arbors at Wilmas Farm, Plat 1 – Replacement Construction and Maintenance Escrows) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Ohley reported that Bill No. 3202 (Arbors at Wilmas Farm, Plat 2 – Replacement Construction and Maintenance Escrows) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Ohley reported that Bill No. 3203 (Spirit Valley Business Park, Lot 16 & Lot 17 [Boundary Adjustment Plat]) is scheduled for both first and second reading approval under the “Legislation” portion of the agenda.

Councilmember Ohley reported that Bill No. 3204 (Falling Leaves Estates II, Record Plat) is scheduled for both first and second reading approval under the "Legislation" portion of the agenda.

Councilmember Ohley announced that the next meeting of this Committee has been scheduled for Thursday, June 7, at 5:45 p.m.

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

Councilmember Barbara McGuinness, Chairperson of the Finance and Administration Committee, indicated that she had no report this evening.

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

Councilmember Dan Hurt, Chairperson of the Parks, Recreation & Arts Committee, indicated that he had no report this evening.

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

Councilmember Ben Keathley, Chairperson of the Public Health & Safety Committee, reported that they met prior to the City Council Meeting and described the topics discussed at that meeting.

#### **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Geisel indicated that he had no report this evening.

#### **UNFINISHED BUSINESS**

There was no unfinished business.

#### **NEW BUSINESS**

There was no new business.

#### **LEGISLATION**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the first reading of Bill No.'s 3201, 3202, 3203, and 3204. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.'s 3201, 3202, 3203, and 3204 were read for the first time.

BILL NO. 3201	Amends Ordinance 2929 to authorize replacement Construction and Maintenance Escrows for Arbors at Wilmas Farm Subdivision, Plat 1 (First and Second Readings) Planning & Public Works Committee recommends approval
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Councilmember Ohley made a motion, seconded by Councilmember Moore, for the second reading of Bill No. 3201. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3201 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3201 with the following results: Ayes – Hurt, Ohley, Keathley, DeCampi, Mastorakos, McGuinness, Flachsbart, and Moore. Nays – None. Whereupon Mayor Nation declared Bill No. 3201 approved, passed it and it became **ORDINANCE NO. 3007.**

**BILL NO. 3202**      Amends Ordinance 2930 to authorize replacement Construction and Maintenance Escrows for Arbors at Wilmas Farm Subdivision, Plat 2 **(First and Second Readings) Planning & Public Works Committee recommends approval**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3202. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3202 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3202 with the following results: Ayes-Mastorakos, DeCampi, Keathley, Moore, Hurt, McGuinness, Flachsbart, and Ohley. Nays – None. Whereupon Mayor Nation declared Bill No. 3202 approved, passed it and it became **ORDINANCE NO. 3008.**

**BILL NO. 3203**      Provides for the approval of a Boundary Adjustment Plat for Lots 16 and 17 of the Spirit Valley Business Park Plat to create a 6.183 acre tract of land, zoned “PI” Planned Industrial District, and located on the south side of Olive Street Road, west of Spirit Valley East Drive (17W510147, 17W230076) **(First and Second Readings) Department of Planning & Development Services recommends approval**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3203. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3203 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3203 with the following results: Ayes – Hurt, Moore, Keathley, Ohley, Mastorakos, McGuinness, DeCampi, and Flachsbart. Nays – None. Whereupon Mayor Nation declared Bill No. 3203 approved, passed it and it became **ORDINANCE NO. 3009.**

**BILL NO. 3204**      Provides the approval of a Record Plat and escrow agreements for the Falling Leaves Estates II Subdivision, a 17.4 acre tract of land zoned Large Lot Residential (LLR) located west of Wilson Avenue and northwest of the intersection of Wilson Avenue and Clarkson Road **(First and Second Readings) Department of Planning & Development Services recommends approval**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3204. A voice vote was taken with a unanimous affirmative result

and the motion was declared passed. Bill No. 3204 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3204 with the following results: Ayes – Mastorakos, Moore, Flachsbart, Ohley, DeCampi, Hurt, Keathley, and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3204 approved, passed it and it became **ORDINANCE NO. 3010**.

### **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 3200** Repeals City of Chesterfield Ordinance 2932 to establish 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. 02-2018 Summit-Topgolf [Topgolf USA Chesterfield LLC] 17T510063, 17T520105, 17T520116) **(First Reading) Planning Commission recommends approval**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3200. Councilmember McGuinness motioned to amend the Attachment A, Paragraph L to reflect the current power of review language, specifically dealing with the timetable and number of Councilmembers required. The motion to amend was seconded by Councilmember Hurt.

A voice vote was taken on the motion to amend, with a unanimous affirmative result and the motion to amend was declared passed. A voice vote was taken on the main motion to read Amended Bill No. 3200 for the first time, with a unanimous affirmative result and the motion was declared passed. Amended Bill No. 3200 was read for the first time.

### **ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:32p.m.

  
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Mayor Bob Nation

**ATTEST:**

  
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Amanda Miller, Deputy City Clerk

APPROVED BY CITY COUNCIL: 6/18/2018