



## RECORD OF PROCEEDING

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

**AUGUST 6, 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**

**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 July 16, 2018 Executive Session were submitted for approval. Councilmember Keathley made a motion, seconded by Councilmember Moore, to approve the July 16, 2018 Executive Session minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the July 16, 2018 City Council meeting were submitted for approval. Councilmember Hurt made a motion, seconded by Councilmember Keathley, to approve the July 16, 2018 City Council minutes. Councilmember Ohley made a motion to correct spelling of names “Barmeier” on page 2 and “Rowan” on page 4. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **COMMUNICATIONS AND PETITIONS**

Mr. Brandon Harp, 10820 Sunset Office Park, St. Louis, spoke in support of Bill No. 3210 (P.Z. 05-2018 Edison Crossing [Buttry & Brown Development]).

Ms. Shawn White, 12400 Olive Blvd., St. Louis, stated that she was available to answer questions pertaining to the Chesterfield Hockey development.

Ms. Genevieve Steidtmann, 1701 Big Horn Basin Drive, Wildwood, introduced herself as a candidate for the Missouri House of Representatives, District 101.

Mr. George Stock, 257 Chesterfield Business Parkway, stated that he was present to answer questions pertaining to Bill No. 3208 (P.Z. 04-2018 West County Acres, Nardin Drive), Chesterfield Hockey Association, and Summit Topgolf Lot A.

Mr. Tom Cummings, 10407 Baur Blvd., St. Louis, stated that he was present to answer questions pertaining to Bill No. 3208 (P.Z. 04-2018 West County Acres, Nardin Drive).

Mr. Tom Baranowski, 16002 Park Forest Court, spoke in opposition to Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road).

Mr. Sam Adler, 4453 Pershing, St. Louis, stated that he was available to answer questions pertaining to the Chesterfield Hockey Association.

Mr. Tim Lowe, 121 Bellerosa Drive, stated he was available to answer questions pertaining to the Chesterfield Hockey Association.

Ms. Ashley Weber, 257 Chesterfield Business Parkway, stated that she was present to answer questions pertaining to the Chesterfield Hockey Association.

Ms. Kate Stock Gitto, 257 Chesterfield Business Parkway, stated that she was available to answer questions pertaining to Bill No. 3208 (P.Z. 04-2018 West County Acres, Nardin Drive) and Summit Topgolf Lot A (Residence Inn).

Ms. Debbie Rowan, 16030 Meadow Oak Drive, spoke in opposition to Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road).

Dr. Doug Pernikoff, 2264 Clarkson Road, requested postponement of Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road) until the September 17 City Council meeting.

Mr. Bradley Winters, 16 Spoede Lane, Creve Coeur, stated that he represents Dr. Pernikoff. He indicated that his comments were related to the second reading of Bill No. 3207 and as such, he would hold his comments until the postponement date of September 17.

Mr. Dennis Ganahl, 15979 Woodlet Way Court, spoke in opposition to Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road).

Mr. Stuart Lindley, 15979 Meadow Oak Drive, spoke in opposition to Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road).

Mr. Steve Diver, 15831 Barons Way Drive, expressed dissatisfaction with asphalt repairs in Stonebriar subdivision.

### **INTRODUCTORY REMARKS**

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, August 20, at 7 p.m.

### **APPOINTMENTS**

Mayor Nation nominated Ms. Jessica Stoll for appointment to the Architectural Review Board. Councilmember Hurt made a motion, seconded by Councilmember Ohley, to appoint Ms. Jessica Stoll to the Architectural Review Board for a term of two years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nation nominated Mr. John Nichols for re-appointment to the Police Personnel Board. Councilmember Flachsbart made a motion, seconded by Councilmember Moore, to re-appoint Mr. John Nichols to the Police Personnel Board for a term of three years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nation nominated Mr. Kenneth Voigt for re-appointment to the Police Personnel Board. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to re-appoint Mr. Kenneth Voigt to the Police Personnel Board for a term of three years. 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, stated that the petitioner has requested to postpone the second reading of Bill No. 3207 (P.Z. 22-2017 Clarkson Center 2264 Clarkson Road) until the September 17, 2018 City Council meeting. Councilmember Hurt made a motion, seconded by Councilmember Moore, to postpone the second reading of Bill No. 3207 until the September 17 City Council meeting. A voice vote was taken with an affirmative result (Councilmembers DeCampi and Ohley voted “No”) and the motion to postpone was declared passed.

Councilmember Ohley reported that Bill No. 3208 (P.Z. 04-2018 West County Acres, Nardin Drive) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Ohley reported that Bill No. 3210 (P.Z. 05-2018 Edison Crossing [Buttry & Brown Development]) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to approve the Site Development Concept Plan and Conceptual Landscape Plan for 18385 Chesterfield Airport Road (Chesterfield Hockey Association). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to approve the Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect’s Statement of Design for 18385 Chesterfield Airport Road, Lot A (Chesterfield Hockey Association). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Ohley made a motion, seconded by Councilmember Mastorakos, to postpone the vote for Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect’s Statement of Design for Summit-Topgolf Lot A (Residence Inn) until the August 13 Committee of the Whole meeting. Councilmember McGuinness made a motion, seconded by Councilmember Keathley, to amend the motion to postpone until August 13 special meeting of Council. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed. A second voice vote was taken with a unanimous affirmative result and the motion, as amended, was declared passed.

Councilmember Ohley announced that the next meeting of this Committee has been scheduled for Thursday, August 9, at 5:45 p.m.

### **Finance and Administration Committee**

Councilmember Barbara McGuinness, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Moore, to approve the proposed 2019 City Council Meeting Schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Flachsbart, to approve proposed revisions to City Council Policy No. 1 – Membership Non Statutory Committees. Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to amend the motion to allow not more than four additional members emeritus for each non-statutory committee. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed. A second voice vote was taken on the motion, as amended, with a unanimous affirmative result and the motion was declared passed.

Councilmember Moore made a motion, seconded by Councilmember McGuinness, to receive and file the 2017 Audit Report. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve a proposed schedule consisting of three budget workshop dates (Monday, September 17; Monday, October 8; and Monday, October 22, 2018 at 5:30 p.m.). These will be conducted as Finance and Administration Committee of the Whole meetings. Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, to amend the main motion to change the third date to a date to be determined. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed. A second voice vote was taken on the motion, as amended, with a unanimous affirmative result and the motion, as amended, was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Moore, to approve proposed revisions to City Council Policy No. 7 – First and Second Readings. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember McGuinness announced that the next meeting of this Committee has been scheduled for Monday, August 13, at 5:30 p.m. This meeting will be a Committee of the Whole for the purpose of Finance 102 training.

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

Councilmember Dan Hurt, Chairperson of the Parks, Recreation & Arts Committee, indicated that there are no action items this evening.

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

Councilmember Ben Keathley, Chairperson of the Public Health & Safety Committee, reported that Bill No. 3209 (MoDOT Work Zone Enforcement Program) will be considered for adoption under the “Legislation” portion of the agenda.

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

City Administrator Mike Geisel reported that Bill No. 3211 (Annual Renewal, Conflict of Interest) will be read for the first time under the “Legislation” portion of the agenda.

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION**

**BILL NO. 3209**      Authorizes the City Administrator to enter into an on call work zone enforcement agreement with the Missouri Department of Transportation (MoDOT) to allow cooperation between the Chesterfield Police Department and MoDOT for the on call work zone enforcement program **(Second Reading) Public Health and Safety Committee Recommends Approval**

Councilmember Keathley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3209. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3209 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3209 with the following results: Ayes – McGuinness, Hurt, Ohley, DeCampi, Mastorakos, Flachsbart, Keathley and Moore. Nays – None. Whereupon Mayor Nation declared Bill No. 3209 approved, passed it and it became **ORDINANCE NO. 3014**.

**BILL NO. 3211**      Re-adopts the procedure established in Ordinance No. 605 of the City of Chesterfield as the procedure for disclosure of conflicts for certain municipal officials **(First Reading) City Administrator Recommends Approval**

Councilmember McGuinness made a motion, seconded by Councilmember Mastorakos, for the first reading of Bill No. 3211. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3211 was read for the first time.

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 3208** Amends the Unified Development Code of the City Of Chesterfield by changing the boundaries of the “R-2” Residence District and the “PC” Planned Commercial District to an “R-4” Residence District for a 20.7 acre tract of land located north and east of Swingley Ridge Road and east of its intersection with Chesterfield Ridge Center Drive. [P.Z. 04-2018 West County Acres, Nardin Drive (R-2, PC to R-4) 18S510142, 18S510131, 18S510119, 18S510098, 18S510229, 18S510021, 18S230158, 18S510010, 18S150043, 18S510087, 18S510108, 18S510120, 18S510153, 18S510175] **(Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the second reading of Bill No. 3208. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3208 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3208 with the following results: Ayes – Hurt, Mastorakos, DeCampi, Moore, Flachsbart, McGuinness, Ohley and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3208 approved, passed it and it became **ORDINANCE NO. 3015**.

**BILL NO. 3210** Amends City of Chesterfield Ordinance 2448 establishing new permitted uses in a “PC” Planned Commercial District for 11.1 acres located on the southeastern corner of the intersection of Edison Avenue and Long Road (P.Z. 05-2018 Edison Crossing [Buttry & Brown Development] 17U120287, 17U120298) **(First Reading) Planning Commission recommends approval. Motion to approve by the Planning & Public Works Committee, with the stipulation that the petitioner eliminate some of the permitted uses, failed by a vote of 1-3**

Councilmember Ohley made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 3210. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3210 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, to direct Staff to prepare an amendment to Bill No. 3210 for the next City Council meeting which would eliminate the 15 uses agreed to by the petitioner, as well as to include a provision that would restrict concurrent use of a drive through facility and a day care on the subject site. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember DeCampi suggested that the previous motion to postpone Bill No. 3207 until September 17 may have been improper, as Robert's Rules of Order does not provide for postponing to a date certain beyond the next regularly scheduled meeting date.

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, to reconsider the vote on the postponement of Bill No. 3207 until the next City Council meeting on August 20. After a lengthy discussion, it was decided that the proposed motion was improper because the motion to reconsider should not include the date for the next action. A voice vote was taken with a negative result (Councilmembers Ohley, DeCampi and Keathley voted "Yes") and the motion was declared failed.


Councilmember DeCampi made a motion, seconded by Councilmember Flachsbart, to reconsider the prior vote to postpone Bill No. 3207 until September 17, 2018. A voice vote was taken with a unanimous affirmative result and the motion to reconsider was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to suspend the rules to allow postponement of Bill No. 3207 until September 17, 2018. A voice vote was taken with an affirmative result (Councilmembers DeCampi and Ohley voted "No") and the motion to suspend the rules was declared passed.

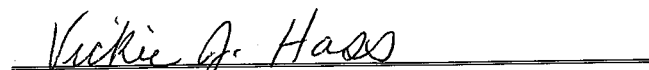
Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to postpone consideration of Bill No. 3207 until the September 17 City Council meeting. A voice vote was taken with an affirmative result (Councilmembers DeCampi and Ohley voted "No") and the motion to postpone consideration of Bill No. 3207 until September 17, 2018 was declared passed.

### **ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:33 p.m.

  
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Mayor Bob Nation  
President Pro Tem Barbara McGuinness

**ATTEST:**

  
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Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 8/20/2018