



RECORD OF PROCEEDING

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

MARCH 4, 2019

The meeting was called to order at 7:07 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 February 20, 2019 City Council meeting were submitted for approval. Councilmember Ohley made a motion, seconded by Councilmember Mastorakos, to approve the February 20, 2019 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

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

COMMUNICATIONS AND PETITIONS

City Attorney Chris Graville made a statement, explaining that the City has investigated multiple options including the possibility of seceding from St. Louis County, joining with adjacent cities to become a new county, becoming its own county, or being annexed into an adjacent county in an attempt to avoid the consequences of a potentially successful City-County merger. Mr. Graville explained that the initiative petition is written in a way that essentially makes it a legal impossibility to pursue any of the aforementioned options based on what statutory and constitutional interplay allows.

The following individuals spoke in opposition to the proposed City-County merger:

St. Louis County Councilman Mark Harder, 542 Lering, Ballwin
Ron Cawood, 16992 Riverdale Drive
Dennis Ganahl, 15979 Woodlet Way Court
Edward Hamm, 14938 Royalbrook Drive
Jennifer Bird, 9244 Laurel Hill Drive, Crestwood
Ben Murphy, 15696 Silverlake Court

Councilmember McGuinness made a motion, seconded by Councilmember Ohley, to suspend the rules and address Item XI A under Other Legislation (Proposed Resolution – City County Merger). A voice vote was taken with an affirmative result (Councilmember Flachsbart voted “No”) and the motion was declared passed.

Councilmember McGuinness made a motion, seconded by Councilmember Keathley, to amend the proposed Resolution Expressing Opposition to the Initiative Petition (2020-042) Regarding a Proposed Constitutional Amendment to the Constitution of the State of Missouri, Article VI and Expressing Support for a Petition Providing for the Board of Freeholders/Electors, by adding fifteen (15) whereas clauses. Councilmember McGuinness read the proposed amendment. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

Councilmember DeCampi made a motion, seconded by Councilmember Ohley, to approve the amended Resolution. A voice vote was taken with a unanimous affirmative result and the motion, as amended, was declared passed. The successful resolution became Chesterfield Resolution No. 452.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Bill No. 3229 Accepts a portion of Chesterfield Ridge Center Drive as a public street in the City of Chesterfield **(Second Reading) Planning & Public Works Committee recommends approval**

Councilmember Michelle Ohley, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3229. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3229 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3229 with the following results: Ayes – Keathley, Mastorakos, Ohley, Flachsbart, Hurt, DeCampi, McGuinness and Moore. Nays – None. Whereupon Mayor Nation declared Bill No. 3229 approved, passed it and it became **ORDINANCE NO. 3038**.

Bill No. 3230 Repeals City of Chesterfield Ordinance 3012 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. 13-2018 Summit-Topgolf [Skygroup Investments, LLC] - 17T510063, 17T520105, 17T520116) **(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. 3230. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3230 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3230 with the following results: Ayes – McGuinness, Hurt, Moore, Ohley, DeCampi, Keathley and Flachsbart. Nays – Mastorakos. Whereupon Mayor Nation declared Bill No. 3230 approved, passed it and it became **ORDINANCE NO. 3039**.

Councilmember Flachsbart made a motion, seconded by Councilmember DeCampi, to approve a Sign Package proposed for the Forty West Office Building, that includes one sign on the south side of the building and one sign on the east side of the building. Discussion ensued pertaining to the requirements of the Uniform Development Code (UDC). The UDC allows one sign on the south side of the building and one sign on the north side of the building, and the size of each sign must not exceed five percent of the wall area. Since the north side of the building would serve no business purpose in this case, and would be a nuisance to neighboring homes, the petitioner has requested a sign on the east side of the building in lieu of the one normally permitted on the north side.

Councilmember Ohley made a motion, seconded by Councilmember Keathley, to amend the motion to allow two signs on the south side of the building in lieu of signs on either

the north or east side, provided the total square footage of the two signs does not exceed the five percent requirement.

Discussion ensued involving sending the request back to the Planning & Public Works Committee for further review. The representative of the petitioner addressed City Council urging their approval without further delay.

Councilmember DeCampi made a motion, seconded by Councilmember Keathley, to recess for five minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

[The meeting resumed at 8:32 p.m.]

A roll call vote was taken on the amendment allowing two signs on the south side of the building in lieu of signs on either the north or east side, provided that the total square footage of the two signs does not exceed the five percent requirement, with the following results: Ayes – None. Nays – Flachsbart, McGuinness, Keathley, Moore, Mastorakos, Hurt, Ohley and DeCampi. Whereupon the motion to amend was declared failed.

A roll call vote was taken on the main motion to approve the sign package most recently submitted by the petitioner for the Forty West Office Building, requesting one sign on the south side of the building and one sign on the east side of the building, with the following results: Ayes – DeCampi, Hurt, Keathley and Flachsbart. Nays – Moore, McGuinness, Mastorakos and Ohley. Mayor Nation voted “Aye” to break the tie and declared the motion passed.

Councilmember Ohley made a motion, seconded by Councilmember Mastorakos, to approve a request for an eighteen-month time extension to submit a Site Development Concept Plan or Site Development Plan for 18626 Olive Street Road – P.Z. 05-2014. Councilmember Ohley stated for the record that there was discussion among members of the Planning & Public Works Committee about time extension requests and whether the number of requests for time extension should be limited; even though they understand that they have no jurisdiction or authority to address this issue without starting the process of rezoning the property. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Ohley announced that the next meeting of this Committee is scheduled for Thursday, March 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, indicated that there were no action items for this evening.

Councilmember Keathley announced that the next meeting of this Committee is scheduled for Wednesday, March 6, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Staff is recommending award of a contract for Structural Repairs to the Equipment Storage Building and Materials Storage Building at the Public Works Facility. Mr. Geisel reminded Council that the Public Works Department had planned to replace the roofs of these buildings in 2019. During the design of the roof project, it became apparent that structural repairs are necessary prior to the roof replacement. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to Total Building Solutions and authorization for the City Administrator to execute an agreement in an amount not to exceed \$90,000 funded through the Capital Projects Fund. The roof project will be delayed until 2020. Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Ohley, Moore, McGuinness, Hurt, Flachsbart, Mastorakos, DeCampi and Keathley. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for 2019 Selective Slab Replacement Project, Area A. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to Amcon Municipal Concrete and authorization for the City Administrator to execute an agreement in an amount not to exceed \$1,100,000 funded through the Capital Projects Fund. Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A roll call vote was taken with the following results: Ayes – DeCampi, Hurt, Flachsbart, Mastorakos, McGuinness, Keathley, Moore and Ohley. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for 2019 Selective Slab Replacement Project, Area B. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to J.M. Marscheutz Construction and authorization for the City Administrator to execute an agreement in an amount not to exceed \$1,050,000

funded through the Capital Projects Fund. Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Flachsbart, Keathley, Moore, Mastorakos, DeCampi, Hurt, Ohley and McGuinness. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that Staff is recommending award of a contract for 2019 Selective Slab Replacement Project, Area C. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending award of a contract to J.M. Marscheutz Construction and authorization for the City Administrator to execute an agreement in an amount not to exceed \$300,000 funded through the Capital Projects Fund. Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Mastorakos, McGuinness, Keathley, Hurt, Flachsbart, Ohley, DeCampi and Moore. Nays – None. Whereupon Mayor Nation declared the motion passed.

OTHER LEGISLATION

Bill No. 3234 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 1, a 46.34 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3234. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3234 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3234. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3234 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3234 with the following results: Ayes – DeCampi, Mastorakos, Ohley, Moore, Keathley, Hurt, Flachsbart and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3234 approved, passed it and it became **ORDINANCE NO. 3040.**

Bill No. 3235 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 2, a 4.54 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3235. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3235 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3235. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3235 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3235 with the following results: Ayes – McGuinness, Moore, Ohley, DeCampi, Hurt, Flachsbart, Mastorakos and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3235 approved, passed it and it became **ORDINANCE NO. 3041.**

Bill No. 3236 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 3, a 58.50 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3236. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3236 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3236. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3236 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3236 with the following results: Ayes – DeCampi, Ohley, McGuinness, Hurt, Keathley, Mastorakos, Flachsbart and Moore. Nays – None. Whereupon Mayor Nation declared Bill No. 3236 approved, passed it and it became **ORDINANCE NO. 3042.**

Bill No. 3237 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 4, a 13.96 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3237. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3237 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3237. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3237 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3237 with the

following results: Ayes – Hurt, DeCampi, Mastorakos, Ohley, Keathley, Moore, Flachsbart and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3237 approved, passed it and it became **ORDINANCE NO. 3043.**

Bill No. 3238 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 5, a 10.88 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3238. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3238 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3238. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3238 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3238 with the following results: Ayes – DeCampi, McGuinness, Moore, Ohley, Mastorakos, Hurt, Flachsbart and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3238 approved, passed it and it became **ORDINANCE NO. 3044.**

Bill No. 3239 Provides for the approval of a Record Plat and Escrow Agreements for the Fienup Farms Plat 6, a 23.03 acre tract of land zoned “PUD” Planned Unit Development on the north side of Wild Horse Creek Road east of its intersection with Kehrs Mill Road and west of its intersection with Baxter Road **(First & Second Readings)**
Planning Commission recommends approval

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3239. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3239 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3239. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3239 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3239 with the following results: Ayes – Hurt, Ohley, Moore, Mastorakos, Flachsbart, Keathley, DeCampi and McGuinness. Nays – None. Whereupon Mayor Nation declared Bill No. 3239 approved, passed it and it became **ORDINANCE NO. 3045.**

Bill No. 3240 Approves the installation of thirty-three (33) fire hydrants at Fienup Farms located within the City of Chesterfield **(First & Second Readings)** **Department of Public Works recommends approval**

Councilmember Flachsbart made a motion, seconded by Councilmember Ohley, for the first reading of Bill No. 3240. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3240 was read for the first time.

Councilmember Ohley made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 3240. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3240 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3240 with the following results: Ayes – Flachsbart, Mastorakos, Ohley, Moore, McGuinness, Hurt, DeCampi and Keathley. Nays – None. Whereupon Mayor Nation declared Bill No. 3240 approved, passed it and it became **ORDINANCE NO. 3046**.

UNFINISHED BUSINESS

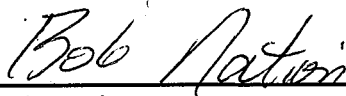
There was no unfinished business.

NEW BUSINESS

There was no new business.

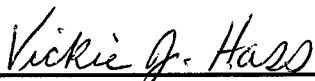
ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 9:04 p.m.



Mayor Bob Nation

ATTEST:



Vickie J. Hass, City Clerk

APPROVED BY CITY COUNCIL: 3/18/19