



RECORD OF PROCEEDING

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

MAY 2, 2016

The meeting was called to order at 7:15 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 Bruce DeGroot

APPROVAL OF MINUTES

The minutes of the April 20, 2016 City Council meeting were submitted for approval. Councilmember McGuinness made a motion, seconded by Councilmember Flachsbart, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Logan, to suspend the rules and address Bill No. 3090 under the “Legislation” portion of the agenda. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 3090 AUTHORIZES AND DIRECTS THE IMPROVEMENTS TO BE MADE WITHIN THE BROADMOOR CONDOMINIUMS NEIGHBORHOOD IMPROVEMENT DISTRICT, AUTHORIZING THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, TO OBTAIN FINANCING THEREFOR, AND OTHER ACTIONS IN CONNECTION THEREWITH (FIRST AND SECOND READINGS)

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 3090. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3090 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 3090. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3090 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3090 with the following results: Ayes – Hurt, Logan, DeCampi, Flachsbart, Tilman, DeGroot, McGuinness and Nations. Nays – None. Whereupon Mayor Nation declared Bill No. 3090 approved, passed it and it became **ORDINANCE NO. 2890**.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to return to the regular sequence of the agenda. 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 has been scheduled for Monday, May 16, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Ms. Patty Vietmeier, 186 Kendall Bluff Court, thanked City Council for their consideration of initiating a full candidate search for the City Administrator position. She also asked how the compensation level would be determined. Mayor Nation responded that Council has a compensation level in mind and that range would be negotiated at the appropriate time. Councilmember Flachsbart indicated that the City had collected compensation comparisons from surrounding communities.

Mr. Steve Stetz, 16009 Aston Court, reminded Council of their fiduciary responsibility and encouraged them to initiate a full candidate search for the City Administrator position.

Mr. Mike Evans, 14609 Kendall Ridge Drive, encouraged Council to initiate a comprehensive professional search for the City Administrator position. He also requested that any internal candidates not be personally involved in organizing or initiating the search process.

Mr. R.B. Clark III, 736 Fairfield Lake Drive, Town & Country, encouraged Council to initiate a thorough professional search for the City Administrator position.

Mr. Philip Folsom, 1747 Baxter Forest Valley Court, expressed his support of Mike Geisel for appointment as City Administrator.

Mr. Craig Borchelt, 15477 Long Castle Forest Court, encouraged Council to resist the urge to rush into appointing a new City Administrator and initiate a thorough professional search for this position.

Mr. Pat Flynn, 1053 Appalachian Trail, encouraged Council to remember to keep the citizens involved in the decisions of the City.

Ms. Wendy Geckeler, 26 Chesterfield Lakes Road, expressed her support of Mike Geisel for appointment as City Administrator. She voiced concern over spending the time and money for a search process when there is a capable candidate here ready to begin immediately.

Former Councilmember Mary Brown, 62 Chesterfield Lakes Road, expressed her support of Mike Geisel for appointment as City Administrator. She noted that there have been multiple letters of support sent in for Mr. Geisel from people who were unable to attend tonight's meeting, and she hoped that Council would read them carefully.

Former Mayor Bruce Geiger, 14787 Greenloch Court, expressed his support of Mike Geisel for appointment as City Administrator. He gave several examples of Mr. Geisel's accomplishments for the City and voiced his concern over spending the time and money for a search.

Mr. Don Guenther, 14853 Grantley Drive, encouraged Council to initiate a professional search for the City Administrator position.

Mr. Michael Watson, 1505 Walpole Drive, stated that he does not disagree with the idea of a professional search, but he expressed his support of Mike Geisel for the City Administrator position.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Bruce DeGroot, Chairperson of the Finance and Administration Committee, deferred to Councilmember Flachsbart who was the prior Chair of this committee. Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, to hold Bill No's 3076, 3077 and 3078 (Amends Previously-Adopted Ordinances re: City Attorney, Prosecuting Attorney and Municipal Judge) until the June 6 City Council meeting in order to allow for the Prosecuting Attorney, City Judge and Interim City Attorney time to review and confer. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart reported that the next eight bills listed (Bill No's. 3082 through 3089) reflect attempts to clarify some items that were incorrectly changed during the codification process which took place in 1990. He stated that there may be amendments to these bills after the first reading.

Councilmember Flachsbart reported that Bill No. 3082 (Mayors Duties when City is without a City Administrator) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3083 (Duties and Authority of the City Administrator) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3084 (Changes who is required to be notified for liability claims) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3085 (Execution of contractual and legal documents approved by City Council) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3086 (Scheduling of City Council Meetings) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3087 (Amends the rules of procedure related to roll call votes) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3088 (Pertains to the appointment of the City Administrator during temporary absences) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3089 (Pertains to the appointment of the City Clerk) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Flachsbart reported that Bill No. 3090 (Authorizes and directs the improvements within the Broadmoor Condominiums Neighborhood Improvement District) was addressed earlier in the meeting.

Planning/Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Flachsbart, to hold Bill No. 3075 (P.Z. 13-2015, Chesterfield Valley Square [Burgundy Arrow, LLC]) until the May 16 City Council meeting, at the request of the petitioner. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that Bill No. 3079 (Restricts Parking on River Valley Dr.) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, May 5, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

Acting City Administrator Mike Geisel reported that Twin Peaks, located at 963 Chesterfield Center (formerly Romano’s Macaroni Grill), has requested a new liquor license, to sell all kinds of liquor by the drink and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Services Division and Police Department. Councilmember Logan made a motion, seconded by Councilmember DeGroot, to approve issuance of a new liquor license to Twin Peaks. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel reported that Staff had received bids for a contract for the construction of the River Valley Drive Road Closure. This recommendation was originally on the March 21 agenda, but was held due to concerns regarding the ability of the River Bend Trustees to convey the property rights associated with this project. Mr. Geisel recommended that this item continue to be held until the May 16 Council meeting, in anticipation of obtaining title insurance. Councilmember Flachsbart made a motion, seconded by Councilmember McGuinness, to hold this item until May 16. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OLD BUSINESS

Councilmember McGuinness made a motion, seconded by Councilmember DeCampi, for consideration of initiating search process for City Administrator. Councilmember Hurt

asked for clarification of the intent of this motion. Councilmember McGuinness responded that her motion was per the specific wording provided on the agenda. Discussion ensued in an effort to define the actions associated with the motion.

Councilmember Logan made a motion, seconded by Councilmember Flachsbart, to amend Councilmember McGuinness' motion to specifically include the consideration of reviewing proposals which provide for a readiness assessment and consideration of initiating a readiness assessment or a full search process. Councilmember Logan also called for a Special Meeting of Council for Monday, May 9 at approximately 7:30 p.m., at which time Mr. James Mello, Management Analyst, would present a brief assessment of his findings summarizing several search firms that provide the most thorough, competitive and expeditious process. The firms presented should include ones that provide a readiness assessment component. The readiness assessment would determine whether or not an internal candidate was highly competitive with the national labor pool for similar searches, and if not, Council could elect to progress to the full national search phase. Councilmember Logan explained that the work product created in the readiness assessment would be necessary and used if Council elected to proceed with a full scale national search. A voice vote was taken on the amendment to the original motion with a unanimous affirmative result and the motion to amend was declared passed.

A voice vote was taken on the original motion for consideration of initiating search process for City Administrator, as amended, with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to suspend the rules and address Bill No. 3091 under the "New Business" portion of the agenda. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**BILL NO. 3091 AUTHORIZES THE MAYOR TO ENTER INTO AND EXECUTE
A CONTRACT WITH MICHAEL GEISEL AND RAY JOHNSON
AS INTERIM CO-CITY ADMINISTRATORS (CITY
ATTORNEY RECOMMENDS SUSPENDING THE RULES
FOR FIRST AND SECOND READINGS)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3091. Councilmember Flachsbart explained that this is an appointment by the Council, with the Mayor's concurrence. The duration of this interim contract is for a period of 120 days. It is intended to allow time for a search process and puts everything in compliance with state statute. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3091 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember McGuinness, for the second reading of Bill No. 3091. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3091 was read for the

second time. A roll call vote was taken for the passage and approval of Bill No. 3091 with the following results: Ayes – Flachsbart, Tilman, DeGroot, Nations, DeCampi, McGuinness, Hurt and Logan. Nays – None. Whereupon Mayor Nation declared Bill No. 3091 approved, passed it and it became **ORDINANCE NO. 2891**.

Councilmember Flachsbart made a motion, seconded by Councilmember Logan, to remove Item B (Appointment of City Administrator) under “Old Business” from the agenda. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Bill No. 3091 (Employment Contract for Co-City Administrators Pro-Tem) was addressed under the “Old Business” portion of the agenda.

LEGISLATION

BILL NO. 3079 AMENDS SCHEDULE IX PARKING RESTRICTIONS OF SECTION 300 OF THE CITY OF CHESTERFIELD CODE OF ORDINANCES BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON RIVER VALLEY DRIVE (FIRST READING)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 3079. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3079 was read for the first time.

Councilmember McGuinness made a motion, seconded by Councilmember DeCampi, to postpone the first reading of Bill No.’s. 3082 through 3089 until the May 16 Council meeting. A voice vote was taken with a negative result (Councilmembers Flachsbart, Nations, Tilman, Hurt, Logan and DeGroot voted “No”) and the motion was declared failed.

BILL NO. 3082 AMENDS ORDINANCE 7 PERTAINING TO THE MAYOR’S OBLIGATION TO PERFORM THE CITY ADMINISTRATOR’S DUTIES (FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3082. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3082 was read for the first time.

BILL NO. 3083 AMENDS ORDINANCE 8 AND SECTIONS 2-74, 2-80 OF THE CITY CODE PERTAINING TO THE CITY ADMINISTRATOR'S DUTIES AND AUTHORITY **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3083. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3083 was read for the first time.

BILL NO. 3084 AMENDS ORDINANCE 505 AND SECTION 2-5 OF THE CITY CODE PERTAINING TO NOTICE OF LIABILITY CLAIMS **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3084. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3084 was read for the first time.

BILL NO. 3085 AMENDS ORDINANCE 11 AND SECTION 2-29 OF THE CITY CODE PERTAINING TO DUTIES AND POWERS OF THE MAYOR AND CITY COUNCIL **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3085. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3085 was read for the first time.

BILL NO. 3086 AMENDS ORDINANCE 12, ORDINANCE 528 AND SECTION 2-47 OF THE CITY CODE PERTAINING TO SCHEDULING OF REGULAR MEETINGS OF CITY COUNCIL **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3086. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3086 was read for the first time.

BILL NO. 3087 AMENDS ORDINANCE 12 AND SECTION 2-50 OF THE CITY CODE PERTAINING TO RULES OF PROCEDURE FOR THE MAYOR AND CITY COUNCIL **(FIRST READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3087. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3087 was read for the first time.

BILL NO. 3088 AMENDS ORDINANCE 8 AND SECTION 2-82 OF THE CITY CODE PERTAINING TO THE APPOINTMENT OF THE CITY ADMINISTRATOR DURING TEMPORARY ABSENCES (FIRST READING)

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3088. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3088 was read for the first time.

BILL NO. 3089 AMENDS SECTION 2-91 OF THE CITY CODE PERTAINING TO THE APPOINTMENT OF THE CITY CLERK (FIRST READING)

Councilmember Flachsbart made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 3089. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 3089 was read for the first time.

Bill No. 3090 (Authorizes and directs the improvements within the Broadmoor Condominiums Neighborhood Improvement District) was addressed earlier in the meeting.

Bill No. 3091 (Employment Contract for Co-City Administrators Pro-Tem) was addressed under the “Old Business” portion of the agenda.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 9:09 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk