



## RECORD OF PROCEEDING

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

**February 2, 2004**

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The meeting was called to order at 7 p.m.

Girl Scout Troop #4375 from River Bend School led everyone in the Pledge of Allegiance: Courtney Guenther, Taylor Jones, Carly Kersten, Melody Man, Freya Shroff, Martha Tracey and Kaitlin Bumpus. Also in attendance were Troop Leaders Bev Wrobel and Debbie Guenther.

Mayor Nations announced that former Councilmember Betty Hathaway had open heart surgery and was in the hospital. He then led everyone in a moment of silent prayer.

A roll call was taken with the following results:

#### PRESENT

Mayor John Nations  
Councilmember Barry Flachsbart  
Councilmember Barry Streeter  
Councilmember Bruce Geiger  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Mary K. Brown  
Councilmember Connie Fults

#### ABSENT

Councilmember Jane Durrell

#### APPROVAL OF MINUTES

The minutes of the January 21, 2004, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor John Nations announced that City Hall would be closed Monday, February 16 in observance of President's Day.

Mayor Nations next announced that the next meeting of City Council has been scheduled for Wednesday, February 18.

Mayor Nations next reported that Greg Schwartz has requested an amount not to exceed \$1,000 to help with the total cost of constructing a batting cage, within the Chesterfield Valley Athletic Complex, in conjunction with his Eagle Scout Project. Councilmember Streeter made a motion, seconded by Councilmember Hurt, to approve a \$1,000 appropriation, toward the total cost of building a batting cage at the CVAC. The total estimated cost is approximately \$10,000 and all expenses, above this \$1000 appropriation, would be Mr. Schwartz' responsibility. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COMMUNICATIONS AND PETITIONS**

Bill Decker from Gray Design said he was in attendance to answer any questions regarding Bill No. 2239, P. Z. 25-2003, Precision Eatherton.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2239 (P.Z. 25-2003, Precision Eatherton) and Bill No. 2240 (P.Z. 36-2003, City of Chesterfield (off-street parking) would be read for the first time. Bill No. 2234 (P.Z. 35-2003, City of Chesterfield (Subdivision Development Regulations and Time Requirements for Subdivision Improvements), Bill No. 2235 (P.Z. 31-2003, City of Chesterfield (Museum and Arts Procedure), Bill No. 2241 (approves a record plat for Drury Plaza) and Bill No. 2242 (approves a record plat for Monarch Fire Protection District – Montgomery Bank/Dierbergs Park) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Streeter, to authorize Mayor Nations to send a letter to the City of Ballwin Board of Aldermen, expressing concerns of Chesterfield residents who border the property of Meadowbrook Country Club, regarding the Meadowbrook Villas development. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. It was noted that the Ward 3 Councilmembers could sign the same letter, or send letters of their own.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for February 5 at 5:30 p.m.

### **Public Health and Safety Committee**

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2238 (amends the contract with St. Louis County regarding housing of municipal prisoners) will be read for the first time under the “Legislation” portion of the agenda. It is a renewal of a contract with St. Louis County regarding the housing of prisoners.

### **REPORT OF THE CITY ADMINISTATOR**

City Administrator Mike Herring reported that Qdoba Mexican Grill, located at 16898 Chesterfield Airport Road, has requested a liquor license to sell all kinds of liquor by the drink for consumption on the premises and Sunday sales. Councilmember Casey made a motion, seconded by Councilmember Fults to approve issuance of the liquor license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Marquette High School was requesting members of City Council, as well as members of the community, to participate in judging the various students who will participate in their annual Speech Tournament. Anyone interested can contact Mr. Herring for more information.

### **NEW BUSINESS**

Mayor Nations next extended his THANKS to the Public Works Department for the tremendous job they have done with snow removal in the City in the most recent snow storm. He asked that Mr. Herring communicate this sentiment, to the Public Works Department, on behalf of City Council and himself.

### **LEGISLATION**

#### **BILL NO. 2238**

**AUTHORIZES A CONTRACT WITH ST. LOUIS  
COUNTY FOR HOUSING OF MUNICIPAL INMATES  
(FIRST READING –PUBLIC HEALTH AND SAFETY  
COMMITTEE)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2238. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2238 was read for the first time.

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2234** AMENDS THE CITY OF CHESTERFIELD SUBDIVISION ORDINANCE SECTION 1005.080 RELATING TO SUBDIVISION DEVELOPMENT REGULATIONS BY ENACTING A NEW SECTION 1005.080, AND BY AMENDING SECTION 1005.240 RELATING TO SUBDIVISION IMPROVEMENTS BY IDENTIFYING A TIME WHEN SAID IMPROVEMENTS MUST BE COMPLETED AND CODIFYING THE SAME AS REGULATIONS FOR THE CITY OF CHESTERFIELD, MISSOURI (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2234. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2234 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2234, with the following results: Ayes – Flachsbart, Fults, Geiger, Casey, Brown, Hurt and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2234 approved, passed it and it became **ORDINANCE NO. 2060.**

**BILL NO. 2235** AMENDS THE CITY OF CHESTERFIELD’S ZONING ORDINANCE TO ESTABLISH SECTION 1003.141 PROVIDING A MUSEUM AND ARTS PROCEDURE (P.Z. 31-2003, CITY OF CHESTERFIELD) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL AS AMENDED.**)

Councilmember Streeter made a motion, seconded by Councilmember Geiger, to amend Bill No. 2235 by approving the “pink sheet” amendment to Attachment A, Page 2, Paragraph 6, regarding height limitations. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2235, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2235 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2235, with the following results: Ayes – Casey, Streeter, Geiger, Fults, Brown and Hurt. Nays - Flachsbart. Whereupon, Mayor Nations declared Bill No. 2235 approved, as amended, passed it and it became **ORDINANCE NO. 2061.**

**BILL NO. 2239** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PI” PLANNED

**INDUSTRIAL DISTRICT FOR AN APPROXIMATELY  
2.905 ACRE TRACT OF LAND, LOCATED AT 454  
NORTH EATHERTON ROAD (P.Z. 25-2003, PRECISION  
EATHERTON) (FIRST READING-PLANNING  
COMMISSION RECOMMENDS APPROVAL;  
PLANNING AND ZONING COMMITTEE  
RECOMMENDS APPROVAL BUT ONLY IF  
AMENDED AS PROPOSED BY THE ATTACHED  
“GREEN SHEET”)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2239. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter made a motion, as provided within the proposed “green sheet”, to amend Attachment A, Section 4, regarding Access, as described on the “green” sheet. The motion was seconded by Councilmember Casey. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2239 was read for the first time, as amended.

**BILL NO. 2240**                      **AMENDS THE CITY OF CHESTERFIELD ZONING  
ORDINANCE SECTION 1003.165 (F) TO ESTABLISH  
OFF-STREET PARKING REQUIREMENTS FOR  
DISPLAY HOMES (P.Z. 36-2003, CITY OF  
CHESTERFIELD, OFF-STREET PARKING FOR  
DISPLAY HOMES) (FIRST READING – PLANNING  
COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2240. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2240 was read for the first time.

**BILL NO. 2241**                      **PROVIDES FOR THE APPROVAL OF A RECORD PLAT  
FOR DRURY PLAZA, FOR 4.851 ACRE TRACT OF  
LAND, ZONED “PC” PLANNED COMMERCIAL  
DISTRICT, LOCATED ADJACENT TO THE  
CHESTERFIELD MALL, AT THE INTERSECTION OF  
CLARKSON ROAD AND U.S. HIGHWAY 40-  
61/INTERSTATE 64 (FIRST AND SECOND READINGS  
– PLANNING COMMISSION RECOMMENDS  
APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2241. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2241 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2241. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 2241 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2241, with the following results: Ayes – Casey, Flachsbart, Brown, Geiger, Fults, Hurt, and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2241 approved, passed it and it became **ORDINANCE NO. 2062.**

**BILL NO. 2242** PROVIDES FOR THE APPROVAL OF A RECORD PLAT OF CHESTERFIELD FIRE PROTECTION DISTRICT LOT 2 FOR A 3.251 ACRE TRACT OF LAND, LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF OLIVE BOULEVARD AND RIVER VALLEY DRIVE (MONTGOMERY BANK/DIERBERGS PARK) (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2242. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2242 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2242. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2242 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2242, with the following results: Ayes – Streeter, Casey, Geiger, Fults, Flachsbart, Hurt, and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2242 approved, passed it and it became **ORDINANCE NO. 2063.**

### **ADJOURNMENT**

Mayor Nations adjourned the meeting at 7:35 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk