



RECORD OF PROCEEDING

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

JANUARY 7, 2008

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

Jack Nations, son of Mayor Nations, led everyone in the Pledge of Allegiance. Mayor Nations followed with a moment of silent prayer.

PRESENTATION

Mayor Nations presented a proclamation to Rajiv Tarigopula, who, along with his parents, lives in Chesterfield, for having won a regional competition in the National Vocabulary Championship. Mayor Nations announced that Rajiv will now travel to Los Angeles, California, to compete in the Finals.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

None

APPROVAL OF MINUTES

The minutes of the December 3, 2007, Public Hearing of the City Council and the regular City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve both sets of City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations announced that City Hall will be closed Monday, January 21, in observance of Dr. Martin Luther King's Birthday. Mayor Nations next announced that First Baptist Church of Chesterfield is holding a Unity dinner on January 20 in honor of Dr. Martin Luther King, Jr. and invited the community to attend this event. Mayor Nations announced that candidate filing for the April 8, 2008 Municipal Election ends at 5 p.m. on Tuesday, January 22. Finally, Mayor Nations announced that the next meeting of City Council has been scheduled for Wednesday, January 23, 2008, at 7 p.m.

COMMUNICATIONS AND PETITIONS

George Stock, petitioner, supported Bill No. 2599 (P.Z. 41-2007 - Chesterfield Blue Valley, LLC (18394 Chesterfield Airport Road) and stated that Dean Wolfe and John King, attorney for the petitioner, were available to answer any questions. Mr. Stock announced that there would be a meeting in John King's office at noon on January 10 to discuss outstanding traffic issues.

Pam McIntyre, representing St. Louis Community College at Wildwood, announced that the Wildwood campus opened in August, 2007. Ms. McIntyre stated that St. Louis Community College at Wildwood has partnered with the University of Missouri-St. Louis on several degree programs. Mayor Nations congratulated Ms. McIntyre on the opening of the new campus and stated that he and the Councilmembers will find a date to tour the campus.

Ann Morrison, who resides at 47 White Plains, is a member of NAIS (National Animal Information System) asked what the City has done in preparation for a potential bird flu pandemic. Mayor Nations stated that the City is coordinating efforts with the St. Louis County Dept. of Health and that Chief Ray Johnson is the "point person" for this effort. City Administrator Mike Herring stated that there is an ongoing extensive communication network among the City, the St. Louis County Dept. of Health, and several agencies in the metropolitan area and that the City has taken steps to prepare for a potential bird flu pandemic. Mayor Nations further stated that the City passed an ordinance on mutual cooperation with the surrounding cities and St. Louis County and that the City has been extremely pro-active in this effort.

Tony Viviano, representing Tony Viviano Entertainment, expressed concern that he has not been considered as a performer for the Concerts in the Park Series at Faust Park.

Mayor Nations stated that the Chesterfield Chamber of Commerce is responsible for scheduling entertainment, at those events, and he suggested Mr. Viviano contact Joan Schmelig, Executive Director of the Chamber, to discuss this possibility.

COUNCIL COMMITTEE REPORTS

Planning and Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning and Public Works Committee, reported that Bill No. 2595 (Approves record plat/escrow agreements - Manors at Schoettler Valley) will be considered for adoption under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Fults next reported that Bill No. 2598 (P.Z. 46-2007 – Dugsford Commons (Reliance Bank) will be read for the first time under the "Legislation – Planning Commission" portion of the Agenda. Councilmember Fults stated that she will then make a motion to "suspend the rules" to allow for a second reading of Bill No. 2598.

Councilmember Fults next reported that Bill No. 2599 (P.Z. 41-2007 - Chesterfield Blue Valley, LLC (18394 Chesterfield Airport Road) will be read for the first time under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Fults next reported that Bill No. 2600 (Approves boundary adjustment plat - Terra Vista - Plat One) is scheduled for first and second reading approval, under the "Legislation – Planning Commission" portion of the Agenda. Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, January 10, at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Staff is recommending award of a contract to Lantis Fireworks and Lasers for the City's Annual 4th of July fireworks display. Based upon a review of the information provided to him by Darren Dunkle, Acting Director of Parks and Recreation, Mr. Herring joined with him in recommending award of a contract to Lantis Fireworks and Lasers, in an amount not to exceed \$50,000, which is the amount contained within the FY2008 Budget. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract to Lantis Fireworks and Lasers, in an amount not to exceed \$50,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that passage of Resolution No. 347 would authorize the City Administrator to sign a contract, with Chesterfield Arts, for provision of services for calendar year 2008. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve Resolution No. 347 to authorize the City Administrator to sign a contract with Chesterfield Arts, for calendar year 2008. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nations recognized the Scouts in attendance and briefly explained to the Scouts how City Council meetings work.

NEW BUSINESS

City Attorney Rob Heggie reported that Bill No. 2601 (Amends Ordinance No. 2201 re: Authorization for Municipal Court to levy fines) will be read for the first time under the “Legislation” portion of the agenda. He noted that Municipal Judge, Rick Brunk, had requested the “house-keeping” changes, contained within this proposed ordinance. Mr. Heggie recommends approval of this bill.

LEGISLATION

BILL NO. 2601 AMENDS ORDINANCE NO. 2201 ESTABLISHING A GENERAL PENALTY FOR THE VIOLATION OF CITY OF CHESTERFIELD ORDINANCES BY INCREASING THE POTENTIAL FINE FOR VIOLATION THEREOF **(FIRST READING; CITY ATTORNEY RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2601. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2601 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2595 PROVIDES FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENT FOR THE MANORS AT SCHOETTLER VALLEY, FOR AN 8.85 ACRE TRACT OF LAND ZONED "R-2" P.E.U. RESIDENCE DISTRICT, LOCATED APPROXIMATELY 600 FT. NE OF THE INTERSECTION OF SQUIRES WAY DR. AND SCHOETTLER VALLEY DR. **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2595. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2595 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2595 with the following results: Ayes – Durrell, Erickson, Flachsbart, Hurt, Geiger, Casey, Nation and Fults. Nays – None. Whereupon Mayor Nations declared Bill No. 2595 approved, passed it and it became **ORDINANCE NO. 2419**.

BILL NO. 2598 AN ORDINANCE REPEALING CITY OF CHESTERFIELD ORDINANCE 2198 AND ESTABLISHING IN ITS PLACE A NEW ORDINANCE WITH AN AMENDMENT ADDING

**“MEDICAL AND DENTAL OFFICES” TO THE LIST OF
PERMITTED USES FOR A 1.4 ACRE-“PC” PLANNED
COMMERCIAL DISTRICT LOCATED ON WILD HORSE
CREEK ROAD, APPROXIMATELY 550 FEET SOUTHEAST OF
LONG ROAD (P.Z. 46-2007 DUGSFORD
COMMONS/RELIANCE BANK) (FIRST READING -
PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2598. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2598 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Nation, to suspend the rules to allow for a second reading of Bill No. 2598. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults made a motion, seconded by Councilmember Nation, for a second reading of Bill No. 2598. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2598 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2598 with the following results: Ayes – Flachsbart, Geiger, Erickson, Nation, Casey, Durrell, Fults and Hurt. Nays – None. Whereupon Mayor Nations declared Bill No. 2598 approved, passed it and it became **ORDINANCE NO. 2420**.

BILL NO. 2599 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY ADDING TO THE “PC” PLANNED COMMERCIAL DISTRICT A 75.063-ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE STREET ROAD WEST OF ITS INTERSECTION WITH CHESTERFIELD AIRPORT ROAD (P.Z. 41-2007 CHESTERFIELD BLUE VALLEY, LLC) **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED, AS DETAILED IN THE ATTACHED "GREEN SHEET")**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2599. Councilmember Flachsbart stated that he intends to vote for the first reading of Bill No. 2599 but would probably not vote for the passage of this bill because of the traffic situation and the procedural history of this bill. Councilmember Flachsbart suggested that Bill No. 2599 be either sent back to the Planning Commission, voted down, or have the petitioner withdraw the bill. Councilmember Fults stated that the Planning and Zoning Committee addressed all of the outstanding issues and the feedback was incorporated in the seven amendments to Bill No. 2599. Discussion ensued about the traffic study and the sub area requirements. Councilmember Flachsbart asked City Attorney Heggie if it would be possible to send the whole package back to the Planning Commission and Mr. Heggie stated that he would need to check into the

procedural issues. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2599 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Durrell, to amend Bill No. 2599 to accept Amendments 1-7 on the “Green Sheet.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2600 AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR LOTS 15-18, 25-28, 30-32 AND COMMON GROUND FOR TERRA VISTA PLAT ONE IN U.S. SURVEY 367 & 923, TOWNSHIP 46 NORTH, RANGE 5 EAST CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. (FIRST AND SECOND READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2600. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2600 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2600. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2600 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2600 with the following results: Ayes – Casey, Erickson, Flachsbar, Nation, Fults, Durrell, Hurt and Geiger. Nays – None. Whereupon Mayor Nations declared Bill No. 2600 approved, passed it and it became **ORDINANCE NO. 2421**.

Mayor Nations recognized Mr. Mike Reid, representative for Senator John Loudon.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:42 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggier, City Clerk

