



RECORD OF PROCEEDING

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

JANUARY 4, 2012

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

Mayor Bruce Geiger 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 Bruce Geiger
Councilmember Barry Flachsbart
Councilmember Matt Segal
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Randy Logan
Councilmember Bob Nation
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the December 5, 2011 Public Hearing, regarding the FY2012 Budget, and the December 5, 2011 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Nation, to approve the Public Hearing and City Council meeting minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Geiger announced that City Hall will be closed Monday, January 16, in observance of the Dr. Martin Luther King, Jr's birthday holiday.

Mayor Geiger next announced that Candidate Filing , for the April 3 City election, ends at 5:00 pm on Tuesday, January 17.

Mayor Geiger announced that the next meeting of City Council has been scheduled for Wednesday, January 18, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mr. Rob Grumich, Director of Education & Outreach for STAGES-St. Louis, stated that STAGES-St. Louis partners with area schools to provide a variety of programs and that the STAGES Academy at Chesterfield annually serves approximately 1,200 students. He acknowledged and expressed thanks for the financial support previously provided by the City of Chesterfield. Mayor Geiger stated that he and Council are very proud to have STAGES in Chesterfield.

Mr. Larry Haselfelt, representing Drury Development Corporation, stated he was supportive of any amendment Council makes tonight regarding the color change to the exterior of the proposed Drury Plaza Hotel (Hyatt Place).

Mayor Geiger recognized Boy Scout John Pruitt, from Troop #805, who is working on his "Citizenship in the Community" badge, and invited Mr. Pruitt to meet with him, following the meeting, with any questions he might wish to ask.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, reported that Bill No. 2868 (Proposed amendment regarding the discharge of firearms or projectile weapons) will be read for the first time under the "Legislation" portion of the Agenda.

Councilmember Flachsbart next reported that Bill No. 2871 (Authorizes All-Way Stop Control for the intersection of August Hill Drive at Stonebrook Court and Willow Weald Path) is scheduled for both first and second reading approval under the "Legislation" portion of the Agenda.

Parks and Recreation Committee

Councilmember G. Elliot Grissom, Chairperson of the Parks and Recreation Committee, made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation to construct a community garden at Eberwein Park, utilizing labor from both the Parks and Public Works Maintenance divisions, as well as a transfer of \$16,000 from the Parks Sales Tax Fund Fund Reserves. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grissom next made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation to construct two shuffleboard courts at Eberwein Park, utilizing labor from both the Parks and Public Works Maintenance divisions, as well as a transfer of \$8,065 from the Parks Sales Tax Fund Fund Reserves. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grissom next made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation to adopt the 2012 Rules and Regulations for the Eberwein Park Dog Park. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grissom next made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation to adopt the 2012 Rules, Regulations and Rental Rates for the Amphitheater in Central Park. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grissom next made a motion, seconded by Councilmember Flachsbart, to approve the Committee's recommendation for a "soda exclusivity" contract to Pepsi Americas, for the 2012-2014 fiscal years. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grissom announced that the next meeting of this Committee has been tentatively scheduled for Thursday, January 26, at 5:30 p.m.

[Mayor Geiger recognized Ms. Stacey Morse, Executive Director of Chesterfield Arts, in attendance.]

Finance and Administration Committee

Councilmember Michael Casey, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Logan, to approve **Resolution No. 386** (Approves a contract with Chesterfield Arts). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next made a motion, seconded by Councilmember Logan, to approve **Resolution No. 387** (Approves a contract with Stages – St. Louis). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey announced that the next meeting of this Committee has tentatively been scheduled for either Monday, January 23 or Monday, January 30, at 5:30 p.m. [NOTE: Subsequently, a final decision was made to schedule this meeting for Monday, January 30, at 5:30pm.]

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2865 [P.Z. 13-2011, Chesterfield Village Parcel C-300 (Chesterfield Village, LLC)] and Bill No. 2866 [P.Z. 10-2011, Friendship Village of West County (15201 Olive Blvd.)] will be considered for SECOND READING approval and adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults made a motion, seconded by Councilmember Logan, to hold **T.S.P. 37-2011** [AT&T (14804 Clayton Road)], **T.S.P. 38-2011** [AT&T 17259 Wild Horse Creek Road)], and **T.S.P. 36-2011** [AT&T (1972 Baxter Road)] and forward to the Finance and Administration Committee, scheduled for Monday, January 30, at 5:30 p.m. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults reported that Bill No. 2869 (Extends until 12/31/2012 a provision allowing for the placement of OPEN HOUSE SIGNS, on Saturdays) will be read for the first time under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults made a motion, seconded by Councilmember Grier, to approve the Site Development Plan, Landscape Plan, Lighting Plan and Architectural Elevations, with the amendment to use “Crimson I/S Brick” in lieu of the color of brick on the original submittal for Drury Plaza Hotel (Hyatt Place). Mayor Geiger stated that he had called for the Power of Review; and after working with the developer on some changes, he is prepared to accept what the petitioner has proposed this evening. A roll call vote was taken for the passage and approval of the motion with the following results: Ayes – Grier, Fults, Casey, Grissom, Segal, Logan and Nation. Nays – Flachsbar. Whereupon Mayor Geiger declared the motion approved.

Councilmember Fults reported that Bill No. 2870 (Approves Boundary Adjustment Plat – Chesterfield Place, Lot 7) is scheduled for both 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 19, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

Mr. Herring noted that he had nothing to submit for City Council's review/approval or information, at tonight's meeting.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2868 AMENDS SECTIONS 21-103 AND 21-104 OF THE CODE OF ORDINANCES OF THE CITY OF CHESTRFIELD, MISSOURI, RELATING TO THE DISCHARGE OF FIREARMS OR PROJECTILE WEAPONS TO PROTECT CROPS OR OTHER PROPERTY (**FIRST READING; PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2868. A voice vote was taken with an affirmative result (7-1 – Councilmember Flachsbart voted “No”) and the motion was declared passed. Bill No. 2868 was read for the first time.

BILL NO. 2871 AMENDS ORDINANCE NUMBER 35, SCHEDULE VI, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING ALL-WAY STOP CONTROL FOR THE INTERSECTION OF AUGUST HILL DRIVE AT STONEBROOK COURT AND WILLOW WEALD PATH (**FIRST AND SECOND READINGS; PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2871. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2871 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2871. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2871 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2871 with the following results: Ayes – Nation, Logan, Fults, Flachsbart, Segal, Grissom, Casey and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2871 approved, passed it and it became **ORDINANCE NO. 2684**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2865 AUTHORIZES AND GIVING PRELIMINARY APPROVAL TO A COMMERCIAL-INDUSTRIAL DESIGN DEVELOPMENT FOR A 21.5 ACRE TRACT OF LAND IN A “C8” PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF SWINGLEY RIDGE ROAD WEST OF ITS INTERSECTION WITH THE CHESTERFIELD PARKWAY (CHESTERFIELD VILLAGE, INC.). **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2865. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2865 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2865 with the following results: Ayes – Flachsbart, Segal, Fults, Grier, Logan, Nation, Casey and Grissom. Nays – None. Whereupon Mayor Geiger declared Bill No. 2865 approved, passed it and it became **ORDINANCE NO. 2685**.

BILL NO. 2866 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “R4” RESIDENCE DISTRICT FOR A 34.5 ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF OLIVE BOULEVARD AND ARROWHEAD ESTATES LANE (P.Z. 10-2011 FRIENDSHIP VILLAGE OF WEST COUNTY {15201 OLIVE BOULEVARD}) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2866. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2866 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2866 with the following results: Ayes – Logan, Casey, Grissom, Nation, Fults, Grier, Segal and Flachsbart. Nays – None. Whereupon Mayor Geiger declared Bill No. 2866 approved, passed it and it became **ORDINANCE NO. 2686**.

BILL NO. 2869 REPEALS SECTION 2.5-4 PERTAINING TO OFF PREMISE RESIDENTIAL REAL ESTATE OPEN HOUSE DIRECTIONAL SIGNS; AND TO ESTABLISH NEW RULES FOR THE REGULATION AND PLACEMENT OF RESIDENTIAL REAL ESTATE OPEN HOUSE SIGNS WITHIN THE CITY OF CHESTERFIELD, MISSOURI **(FIRST READING – PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 2869. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2869 was read for the first time.

BILL NO. 2870 REPEALS CITY OF CHESTERFIELD ORDINANCE 2664 AND REPLACES IT WITH A NEW ORDINANCE PROVIDING FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR CHESTERFIELD PLACE LOT 7 AND PART OF TRACT A OF THE RESUBDIVISION OF LOT 2 OF OLD CLARKSON ESTATES ZONED “R1A” RESIDENCE DISTRICT LOCATED AT THE END OF THE CHESTERFIELD PLACE CUL DE SAC (FIRST AND SECOND READINGS – PLANNING & PUBLIC WORKS DEPARTMENT RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Logan, for the first reading of Bill No. 2870. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2870 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2870. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2870 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2870 with the following results: Ayes – Grissom, Segal, Nation, Casey, Flachsbart, Logan, Grier and Fults. Nays – None. Whereupon Mayor Geiger declared Bill No. 2870 approved, passed it and it became **ORDINANCE NO. 2687**.

[NOTE: City Attorney Heggie asked that the MINUTES reflect that Mayor Geiger accepted written testimony from Mr. Dave Roland, Director of Litigation, Freedom Center of Missouri, regarding Bill No. 2868 (Proposed amendment regarding the discharge of firearms or projectile weapons). City Attorney Heggie asked Mr. Roland to attend the next City Council meeting, which is scheduled for January 18, to offer his comments, verbally, at that time, under the “Communications and Petitions” portion of the AGENDA. Mr. Roland responded that he could/would attend the next City Council meeting.]

ADJOURNMENT

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:27 p.m.

Mayor Bruce Geiger

ATTEST:

Judith A. Naggia, City Clerk