



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD JANUARY 4, 1999

The meeting was called to order at 7 P.M.

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Allan Sheppard
Councilmember Barry Streeter
Councilmember Larry Grosser
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley
Councilmember Mary K. Brown

ABSENT

None

The Pledge of Allegiance was led by Mayor Nancy Greenwood.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the December 7, 1998 Public Hearing for the FY1999 Budget and the December 7, 1998 City Council meeting were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, to approve the Public Hearing minutes and the City Council minutes, as corrected. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood thanked the Public Works Department for the great job they did clearing the City's residential streets from the recent snowfall. Mayor Greenwood stated that other main roads within the City, such as Clarkson, Baxter, Kehrs Mill, Ladue, Wild Horse Creek, Conway and Woods Mill are maintained by either the State of Missouri or St. Louis County. The City is not responsible for maintaining these roads. In addition, she thanked the Police Department and Government Center employees for their assistance, as well, during the snow.

COMMUNICATIONS AND PETITIONS

Marjorie Chadwick, who resides at 15132 Baxton Court, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

Delores Silverbert, who resides at 2477 Baxton Way, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

Marcia McDonald, who resides at 14986 Chateau Village Drive, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

David Krem, who resides at 2435 Baxton Way, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

Alfred Strobing, who resides at 14925 Royalbrook, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

Charles Arthur, who resides at 15133 Baxton Court, expressed opposition to Bill No. 1641, regarding P. Z. 25-98, Mobil Mart.

Mike Kodner, who resides at 216 Whitebrook, thanked City Council for its support for action as initiated by the residents of Whitebrook Subdivision, regarding the developer of the new Whitestone Subdivision.

Wendy Geckler, who resides at 26 Chesterfield Lakes, thanked Councilmember Grosser for his assistance with the Snow Removal Reimbursement Program disbursements and expressed her desire that a fair and equitable program be implemented for future disbursements.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1627 (authorizes landscaping and irrigation agreement with St. Louis County regarding Chesterfield Parkway medians) will be read for the second time under the Legislation portion of the agenda and Bill No. 1637 (approves the agreement regarding maintenance of the bridge over Swingley Ridge Road) will be read for the first time under

the Legislation portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Jan. 27 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Larry Grosser, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1638 (repealing Ordinance No. 1459 regarding food handling) and Bill No. 1639 (authorizing stop signs at the intersection of Stonebriar Manor and Stonebriar Ridge Drive) will be read for the first time under the Legislation portion of the agenda.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1640 (P.Z. 36-98, Rombach Farms), Bill No. 1641 (P. Z. 25-98, Mobil Mart), Bill No. 1642 (boundary adjustment plat – Valley Center) and Bill No. 1629 (record plat, et all – Whitestone Farm Subdivision) will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hurt reported that the petitioner for P.Z. 37-98, Rombach Farms, has requested that City Council receive and file the Conditional Use Permit. A motion was made by Councilmember Hurt, seconded by Councilmember Streeter, to receive and file the Conditional Use Permit for P.Z. 37-98, Rombach Farms. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that THF Chesterfield Development L.L.C. (Chesterfield Commons) has requested approval on the site plan they submitted to the Department of Planning. A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, to amend the fencing criteria to require a minimum of 30 ft. of fencing at the front and partially on the sides of the garden center and fencing to have a wrought-iron look, as approved by the Department of Planning along with additional landscaping. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was then made by Councilmember Hurt, seconded by Councilmember Flachsbart, to approve the landscaping half spines beginning on Chesterfield Airport Road and extending halfway through the eastern parking lot and western parking lot toward the building with the continuation of a pedestrian walkway, as submitted in the drawing marked as Exhibit A and presented in the Work Session. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, to accept the deed for the land where trees will be planted in Exhibit A, as offered to the City of Chesterfield by the petitioner and approved by the City Attorney. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was then made by Councilmember Hurt, seconded by Councilmember Tilley, to approve the site plan for P.Z. 24-97, THF Chesterfield Development L.L.C. (Chesterfield Commons), as amended. A voice vote was taken with an affirmative result (Councilmember Sheppard voted “No”) and the motion was declared passed. Mayor Greenwood thanked the developer for diligently working through the process

set forth by the City to guarantee quality development in the Chesterfield Valley. She also thanked the Staff for the countless hours they spent on this project.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Jan. 7 at 5:30 p.m. He further noted that immediately following that meeting, there would be a joint meeting of the Committee and the Planning Commission at 6 p.m. regarding the Valley Master Development Plan.

Finance and Administration Committee

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that City Council had approved a policy to reimburse private street subdivisions up to a maximum of \$12,500 per mile, per snow season. This year, however, there were discrepancies between subdivisions with the same amount of street miles and additional costs incurred by the subdivisions that appeared in their reimbursement request. A motion was made by Councilmember Tilley, seconded by Councilmember Grosser, to direct Staff to pay the current 1998 reimbursements to the subdivisions for just the cost of snow removal on the streets. Staff was also directed to reformulate a new criteria for this program. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley announced that the recommendations for a retreat to update the strategic plan and links to/from the City's homepage would be held because there was no time for discussion of same in the Work Session.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that he recommends that City Council authorize him to execute permanent easements and easement deeds for the benefit of the Monarch-Chesterfield Levee District. This action will allow for improvements to the Bonhomme Creek Levee across property owned by the City, currently used as the Public Works Facility, as well as construction of Edison Avenue. A motion was made by Councilmember Casey, seconded by Councilmember Brown, to authorize Mr. Herring to execute permanent easements and easement deeds for the Monarch-Chesterfield Levee District. A voice vote was taken with an affirmative result (Councilmember Sheppard voted "No") and the motion was declared passed.

Mr. Herring stated that the next issue of the Chesterfield Citizen newsletter will be delivered the first week of February.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1627 PROVIDES FOR A LANDSCAPING AND IRRIGATION AGREEMENT WITH ST. LOUIS COUNTY FOR TRAFFIC ISLANDS ON CHESTERFIELD PARKWAY (SECOND READING

– PUBLIC WORKS/PARKS COMMITTEE)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Casey, for a second reading of Bill No. 1627. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1627 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1627, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1627 approved, passed it and it became **ORDINANCE NO. 1484.**

BILL NO. 1637 APPROVES AN AGREEMENT BETWEEN THE CITY OF CHESTERFIELD, CHESTERFIELD RIDGE CENTER ONE CORPORATION AND CHESTERFIELD VILLAGE, INC. REGARDING THE CONSTRUCTION AND MAINTENANCE OF OVERPASS BRIDGE OVER SWINGLEY RIDGE DRIVE AND AIR EASEMENT THERETO (**FIRST READING – PUBLIC WORKS/PARKS COMMITTEE**)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Casey, for the first reading of Bill No. 1637. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1637 was read for the first time.

BILL NO. 1638 REPEALS ORDINANCE NO. 1459 RELATING TO THE REQUIREMENT TO WEAR PROTECTIVE GLOVES WHILE PREPARING OR SERVING FOOD (**FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Grosser, seconded by Councilmember Brown, for the first reading of Bill No. 1638. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1638 was read for the first time.

BILL NO. 1639 AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A THREE-WAY STOP SIGN AT THE INTERSECTION OF STONEBRIAR MANOR DRIVE AND STONEBRIAR RIDGE DRIVE THERETO (**FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE**)

A motion was made by Councilmember Grosser, seconded by Councilmember Brown, for the first reading of Bill No. 1639. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1639 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1640 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE

“NU” NON-URBAN DISTRICT TO “AG” AGRICULTURAL DISTRICT FOR A 37.69 ACRE TRACT OF LAND LOCATED ON OLIVE STREET ROAD (P.Z. 36-98, ROMBACH FARMS) (**FIRST AND SECOND READINGS**) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1640. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1640 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1640. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1640 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1640, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1640 approved, passed it and it became **ORDINANCE NO. 1485**.

BILL NO. 1641 AMENDS ST. LOUIS COUNTY ORDINANCE NUMBERS 12,800 AND 13,283 AND CHANGING THE ZONING DESIGNATION FROM “C-8” PLANNED COMMERCIAL DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF BAXTER AND CLAYTON ROADS (P.Z. 25-98, MOBIL MART) (**FIRST AND SECOND READINGS**) (PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND DENIAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1641. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1641 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1641. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1641 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1641, with the following results: Ayes – none. Nays - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Whereupon Mayor Greenwood declared Bill No. 1641 **DEFEATED**.

BILL NO. 1642 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR THE VALLEY CENTER AND PART OF SHARE 7 OF THE ESTATE OF PETER STEFFAN AND PART OF LOT 1 OF KROENUNG’S EST. IN THE “NU” NON-URBAN DISTRICT AND “M-3” PLANNED INDUSTRIAL DISTRICT; SOUTH OF CHESTERFIELD AIRPORT ROAD EAST OF LONG ROAD (**FIRST AND SECOND READINGS**) (DEPARTMENT OF PLANNING RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1642. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1642 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1642. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1642 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1642, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1642 approved, passed it and it became **ORDINANCE NO. 1486.**

BILL NO. 1629 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED, AND ESCROW AGREEMENT FOR WHITESTONE FARM SUBDIVISION, LOCATED ON THE WEST SIDE OF WHITE ROAD AND SOUTH OF OLIVE BOULEVARD (**FIRST AND SECOND READINGS**)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1629. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1629 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1629. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1629 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1629, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1629 approved, passed it and it became **ORDINANCE NO. 1487.**

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Flachsbart, seconded by Councilmember Sheppard, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk