



RECORD OF PROCEEDING

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

DECEMBER 6, 2010

The meeting was called to order at 7:10 p.m.

Acting-Mayor Flachsbart led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

Acting-Mayor Flachsbart recognized Former-Councilmember Dan Hurt and Former-Councilmember Jane Durrell in attendance.

A roll call was taken with the following results:

PRESENT

ABSENT

Acting-Mayor Barry Flachsbart
Councilmember Matt Segal
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Mike Casey
Councilmember Randy Logan
Councilmember Bob Nation
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the November 15, 2010 Public Hearing, regarding the Chesterfield Hill Neighborhood Improvement District, were submitted for approval. Councilmember Erickson made a motion, seconded by Councilmember Logan, to approve the Public Hearing minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the November 15, 2010 City Council meeting were submitted for approval. Councilmember Nation made a motion, seconded by Councilmember Logan, to approve the City Council meeting minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Acting-Mayor Flachsbart announced that candidate filing begins for the April 5, 2011 Municipal Election at 8:00 a.m. on Tuesday, December 14, 2010 and closes at 5:00 p.m. on Tuesday, January 18, 2011.

Acting-Mayor Flachsbart next recognized Chief Ray Johnson, who stated that on August 3, 2010, the Police Department participated in the annual “National Night Out” program. He noted that “National Night Out” is a nationwide effort that is designed to heighten crime and drug prevention awareness and to generate support for and participation in local anti-crime efforts. Chief Johnson stated that each year the Police Department conducts a contest among the participants to determine the “greatest participation” and the “best program” award winners. Chief Johnson presented the “National Night Out” Award for “best program” to Ms. Cindy Bennington, who is a representative of the Thousand Oaks subdivision. Chief Johnson next presented the “National Night Out” Award for “participation” to Mr. Steve Wuennenberg, who is a representative of the Chesterfield Hill subdivision. Acting-Mayor Flachsbart expressed his appreciation to these subdivision representatives for their efforts on the “National Night Out” program.

Acting-Mayor Flachsbart announced that the next meeting of City Council has been scheduled for Monday, January 3, at 7 p.m.

He then wished “Happy Holidays” to everyone in attendance.

COMMUNICATIONS AND PETITIONS

Mrs. Jane Durrell, who resides at 177 Gunston Hall Court and is a member of the Landmarks Preservation Commission, expressed disappointment that certain members of the Landmarks Preservation Commission had been removed. She noted that there seemed to be much misunderstanding and certainly a good deal of miscommunication, involving their efforts to preserve the Eberwein House.

APPOINTMENTS

Acting-Mayor Flachsbart nominated Ms. Carol Duenke for appointment to the Architectural Review Board. Councilmember Nation made a motion, seconded by Councilmember Casey, to approve this appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Duenke's two-year term will expire December 6, 2012.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Matt Segal, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2814 (Approves Agreement with St. Louis County Regarding Landscape Areas on the Page-Olive Connector) will be considered for adoption under the "Legislation" portion of the Agenda.

Councilmember Segal made a motion, seconded by Councilmember Casey, to approve the funding request for sidewalk/retaining wall maintenance in Braefield Subdivision, which would require a reimbursement to the Trustees up to 80% of the cost, not to exceed a cost of \$40,000 to the City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Funds covering the City's portion of this expense will come from the Capital Improvement Sales Tax Fund.

Councilmember Segal reported that Bill No. 2816 [P.Z. 08-2010, 17538 Wild Horse Creek Road (Larry Mintz)] will be read for the first time under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Segal next reported that Bill No. 2817 (Authorizes the Acting-Mayor to Execute an Agreement re: the County Emergency Communications System) will be read for the first time under the "Legislation" portion of the Agenda.

Councilmember Segal announced that the next meeting of this Committee has been scheduled for Thursday, December 9, at 5:30 p.m. He noted that the status of the remaining structures within Eberwein Park will be discussed, at that meeting.

Finance and Administration Committee

Councilmember Randy Logan, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Casey, to approve Resolution No. 377 (Approves/Adopts the Proposed FY2011 Budget). Councilmember Nation made a motion, seconded by Councilmember Geiger, to amend Resolution No. 377 by re-inserting \$6,000 of the previously eliminated \$9,000 in the FY2011 Budget for “community contributions”. Discussion ensued. It was noted that, if this motion were approved, any organization requesting funding would need to apply to the F&A Committee and that funding of those requests would be at this Committee’s discretion. Several Councilmembers noted that removal of the \$9000 from the proposed FY2011 Budget had been previously endorsed, by a vote of 4-0, by the members of the F&A Committee and then approved unanimously, by City Council, at the November 15 F&A Committee-of-the-Whole Budget Workshop.

A roll call vote was taken for the passage and approval of the motion to amend Resolution No. 377 with the following results: Ayes – Flachsbart, Nation, Fults and Geiger. Nays – Segal, Casey, Logan and Erickson. Whereupon Acting-Mayor Flachsbart voted “Yes” to break the tie vote and declared the motion passed.

Councilmember Nation stated that he intended to vote “No” on this Resolution, as amended. Additional discussion ensued. A voice vote was then taken to approve Resolution No. 377, as amended, with an affirmative result (7-1-0 - Councilmember Nation voted “No”) and the motion was declared passed. Resolution No. 377 was approved.

Parks and Recreation Committee

Councilmember Lee Erickson, Chairperson of the Parks and Recreation Committee, announced that the next meeting of this Committee has been scheduled for Monday, December 13, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Trattoria Branica, 138 Chesterfield Towne Center, has requested a new liquor license, due to a change in owners, to sell all kinds of liquor by the drink and Sunday sales. Mr. Herring reported that this application has been reviewed and recommended for approval by the Departments of Planning/Public Works and Police. Councilmember Casey made a motion, seconded by Councilmember Logan, to approve issuance of a new liquor license to Trattoria Branica. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2814 APPROVES AN AGREEMENT BETWEEN ST. LOUIS COUNTY AND THE CITY OF CHESTERFIELD FOR THE MAINTENANCE OF MEDIAN AREAS ALONG THE PAGE-OLIVE CONNECTOR IN THE CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2814. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2814 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2814 with the following results: Ayes – Logan, Nation, Erickson, Casey, Geiger, Fults, Flachsbart and Segal. Nays – None. Whereupon Acting-Mayor Flachsbart declared Bill No. 2814 approved, passed it and it became **ORDINANCE NO. 2633**.

BILL NO. 2817 AUTHORIZES THE MAYOR TO EXECUTE A COOPERATION AGREEMENT FOR EMERGENCY COMMUNICATIONS SYSTEM IMPROVEMENTS IN THE CITY OF CHESTERFIELD **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2817. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2817 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2816 REPEALS CITY OF CHESTERFIELD ORDINANCE 2303 AND REPLACING IT WITH A NEW ORDINANCE THAT AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “PC” PLANNED COMMERCIAL DISTRICT TO AN “E-1” ONE ACRE ESTATE DISTRICT FOR A 1.47 ACRE TRACT OF LAND LOCATED AT 17531 WILD HORSE CREEK ROAD (P.Z. 08-2010 17531 WILD HORSE CREEK ROAD {LARRY MINTZ}) **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2816. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2816 was read for the first time.

ADDITIONAL REMARKS

Councilmember Lee Erickson recognized members of the Historical Commission in attendance and expressed his appreciation for the work they have done.

Acting-Mayor Flachsbart recognized a Boy Scout in attendance and offered to meet with him, following the meeting, to answer any questions.

ADJOURNMENT

Acting-Mayor Flachsbart adjourned the meeting at 8:00 p.m.

Acting-Mayor Barry Flachsbart

ATTEST:

Judith A. Naggiar, City Clerk