



RECORD OF PROCEEDING

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

October 20, 2003

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

Mayor Nations 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

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

ABSENT

None

APPROVAL OF MINUTES

The minutes of the October 8, 2003, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve the City Council minutes. A voice vote was taken with an affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor John Nations welcomed the Boy Scouts who were in attendance and working on their citizenship and civic badges.

Mayor Nations congratulated Councilmembers Brown and Geiger on their upcoming birthdays.

Mayor Nations announced that the next meeting of City Council is scheduled for Monday, November 3.

APPOINTMENTS

Mayor Nations nominated Don Bowers (Ward 4), Steven Spencer (Ward 4), Hilliard Williams (Ward 4) and Daniel Fitzgibbon (Ward 4) for re-appointment to the Public Works Citizens Advisory Group. Councilmember Brown made a motion, seconded by Councilmember Fults, to approve the re-appointments of Don Bowers, Steven Spencer, Hilliard Williams and Daniel Fitzgibbon to the Public Works Citizens Advisory Group. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Their 5-year terms will expire July 1, 2007.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that the next meeting of this Committee has been scheduled for Wednesday, October 22 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, made a motion, seconded by Councilmember Flachsbarth to hold Bill No. 2166 (P.Z.-3-2003 - Approves re-zoning at the corner of Olive Boulevard and River Valley Drive). A voice vote was taken with a unanimous affirmative result and the motion was declared passed. This legislation will be held until the November 3 City Council meeting.

Councilmember Streeter reported that Bill No. 2201 (Boundary adjustment plat – Chesterfield Commons) Bill No. 2202 (General utility easement vacation – Herman Stemme Office Park), Bill No. 2203 (Stormwater easement vacation – St. Louis Family Church), Bill No. 2204 (Record plat – Kemp Automobile Museum), Bill No. 2205 – Record plat – Monarch Trace) and Bill No. 2206 (Adopts St. Louis County Electrical Codes) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for Thursday, October 23 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, announced that the next meeting of this Committee has been scheduled for Wednesday, October 29 at 5:45 p.m.

Public Works/Parks Committee

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2193 (accepts public streets in White House Farms), Bill No. 2194 (approves parking restriction on Olive Boulevard (South Outer Road) from Route 340 to Toreador), Bill No. 2195 (approves changes to the grading ordinance), Bill No. 2197 (approves transfer of Right-Of-Way from MoDot to the City of Chesterfield) and Bill No. 2198 (approves the sale of excess Right-Of-Way) will be considered for adoption under the "Legislation" portion of the agenda.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that a liquor license request has been submitted by Wildwood Petromart, located 14898 Clayton Road and Olive Petromart located at 14024 Olive Blvd, to sell all kinds of liquor in the original packages and Sunday sales. This request is due to a change in ownership. These applications have been reviewed and approved by both the Police and Planning Departments. Councilmember Casey made a motion, seconded by Councilmember Streeter, to approve issuance of the liquor licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Homewood Suites by Hilton, located at 840 Chesterfield Parkway West, is requesting a liquor license to serve beer only, by-the-drink. This application has been reviewed and approved by both the Police and Planning Departments. 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 bids were recently sought for the restoration portion of the River Valley (Phase Two) street reconstruction project. Mr. Herring joined with Mr. Geisel in recommending that the City Administrator be authorized to execute a contract with Suburbia Gardens, in an amount not to exceed \$98,000. Adequate funds exist within the current budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to authorize the City Administrator to execute a contract with Suburbia Gardens, in an amount not to exceed \$98,000 for the River Valley (Phase Two) street reconstruction project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that for a variety of reasons it became necessary, during this current construction season, to secure the services of a previously unapproved inspector, from the firm of Quality Testing and Engineering, Inc. The rate for the services provided was less than the rate previously approved by City Council, when other firms had been given Council approval. With all of this in mind, Mr. Herring joined with Mr. Geisel in recommending that the firm of Quality Testing and Engineering, Inc. be approved by City Council and added to the list of firms previously approved for inspection services with regard to street reconstruction projects. There will be no additional costs resulting from this action. Councilmember Casey made a motion, seconded by Councilmember Hurt, to add the firm of Quality Testing and Engineering, Inc., to the list of approved construction inspectors. The motion was approved by a vote of 7-0-1 (Councilmember Fults "Abstained") and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel recommends formalizing an agreement with "Active.com", an on-line registration service. This formal relationship will result in no direct cost to the City of Chesterfield. It will, however, enhance the City's ability to accept registrations, on-line, for the Parks/Recreation programs during the coming year. Mr. Herring joined with Mr. Geisel in recommending approval by City Council of this proposed contractual agreement. Councilmember Casey made a motion, seconded by Councilmember Durrell, to the City Administrator to sign a contract with "Active.com", an on-line registration service. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that Director of Public Works/City Engineer Mike Geisel, is recommending approval by City Council for a Parks Grant application. In order to submit this application, Resolution No. 295 must be adopted/approved by City Council. Councilmember Casey made a motion, seconded by Councilmember Brown, to adopt Resolution No. 295, which will authorize the submission of a Parks Grant application. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

**BILL NO. 2193 PERTAINS TO THE ACCEPTANCE OF A PUBLIC STREET
WITHIN WHITE HOUSE FARMS SUBDIVISION IN THE CITY
OF CHESTERFIELD (SECOND READING- PUBLIC
WORKS/PARKS COMMITTEE)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2193. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2193 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2193, with the following results: Ayes – Fults, Brown, Hurt, Casey, Durrell, Geiger, Flachsbart and Streeter. Nays - None.

Whereupon, Mayor Nations declared Bill No. 2193 approved, passed it and it became **ORDINANCE NO. 1971.**

BILL NO. 2194 AMENDS ORDINANCE 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON OLIVE BLVD. (SOUTH OUTER ROAD) BETWEEN ROUTE 340 AND TOREADOR (**SECOND READING; PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2194. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2194 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2194, with the following results: Ayes – Flachsbart, Fults, Brown, Casey, Durrell, Hurt, Geiger and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2194 approved, passed it and it became **ORDINANCE NO. 1972.**

BILL NO. 2195 REPEALS ORDINANCE NUMBER 1337, (CHAPTER 12 OF THE CODE OF THE CITY OF CHESTERFIELD) AND REPLACES IT WITH A NEW CHAPTER 12, GRADING, EROSION AND SEDIMENT CONTROLS (**SECOND READING; PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2195. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2195 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2195, with the following results: Ayes – Fults, Flachsbart, Casey, Durrell, Geiger, Streeter, Hurt, and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2195 approved, passed it and it became **ORDINANCE NO. 1973.**

BILL NO. 2197 APPROVES THE TRANSFER OF ROUTE 340 EAST OUTER ROAD FROM NORTH OF LEA OAK TO THE END OF STATE MAINTENANCE FROM THE STATE OF MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO THE CITY OF CHESTERFIELD (**SECOND READING; PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2197. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2197 was read for the second time. Councilmember Geiger made a motion, seconded by Councilmember Streeter, to add a new “Whereas” clause relating to the condition of the execution of a sales contract. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was then taken for passage and approval of Bill No. 2197, as

amended, with the following results: Ayes – Durrell, Flachsbart, Brown, Casey, Fults, Hurt, Geiger, and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No.2197 approved, passed it and it became **ORDINANCE NO. 1974.**

BILL NO. 2198 AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT FOR THE SALE OF EXCESS RIGHT-OF-WAY ALONG CLARKSON ROAD FROM LEA OAK NORTHWARD BEING THE OLD MoDOT RIGHT-OF-WAY (**SECOND READING; PUBLIC WORK/PARKS COMMITTEE**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2198. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2198 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2198, with the following results: Ayes – Flachsbart, Streeter, Casey, Durrell, Geiger, Hurt, Fults and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2198 approved, passed it and it became **ORDINANCE NO. 1975.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2201 APPROVES A BOUNDARY ADJUSTMENT PLAT OF LOTS 9, 10 AND 11 OF CHESTERFIELD COMMONS, PART OF VACATED RHL DRIVE AND PART OF U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF MISSOURI; (HOME DEPOT; CHESTERFIELD COMMONS WEST) (**FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2201. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2201 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2201. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2201 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2201, with the following results: Ayes – Streeter, Brown, Geiger, Flachsbart, Casey, Durrell, Fults, and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2201 approved, passed it and it became **ORDINANCE NO. 1976.**

BILL NO. 2202 VACATES A TEN (10) FOOT GENERAL UTILITY EASEMENT ON ADJUSTED LOT 3C OF A BOUNDARY ADJUSTMENT PLAT OF LOT 3B AND 3C OF THE SUBDIVISION OF HERMAN STEMME OFFICE PARK,

RECORDED IN P.B. 345, PAGE 482, SECTION 10,
TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF
CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF
MISSOURI, (HERMAN STEMME-SACHS PROPERTIES)
**(FIRST AND SECOND READINGS – DEPARTMENT
OF PLANNING RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2202. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2202 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2202. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2202 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2202, with the following results: Ayes - Brown, Flachsbart, Casey, Streeter, Geiger, Durrell, Hurt, and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2202 approved, passed it and it became **ORDINANCE NO. 1977.**

BILL NO. 2203

VACATES A STORM WATER DRAINAGE EASEMENT
IN THE VALLEY CENTER, SHARE 7 PETER STEFFAN
ESTATE, AND LOT 4 OF A SUBDIVISION OF THE
WEST HALF OF U.S. SURVEY 126, TOWNSHIP 45
NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD,
COUNTY OF ST. LOUIS, STATE OF MISSOURI; (ST.
LOUIS FAMILY CHURCH) **(FIRST AND SECOND
READINGS – DEPARTMENT OF PLANNING
RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2203. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2203 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2203. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2203 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2203, with the following results: Ayes – Fults, Hurt, Durrell, Casey, Streeter, Brown, Flachsbart and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2203 approved, passed it and it became **ORDINANCE NO. 1978.**

BILL NO. 2204

PROVIDES FOR THE APPROVAL OF THE RECORD
PLAT FOR THE KEMP AUTOMOBILE MUSEUM, A
9.456 ACRE TRACT OF LAND, ZONED “PC” PLANNED
COMMERCIAL DISTRICT AND “M-3” PLANNED
INDUSTRIAL DISTRICT, LOCATED NORTH OF

**CHESTERFIELD AIRPORT ROAD AND WEST OF
BAXTER ROAD (FIRST AND SECOND READINGS –
PLANNING COMMISSION RECOMMENDS
APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2204. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2204 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2204. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2204 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2204, with the following results: Ayes – Fults, Durrell, Brown, Flachsbart, Streeter, Casey, Hurt and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2204 approved, passed it and it became **ORDINANCE NO. 1979.**

BILL NO. 2205

**PROVIDES FOR THE APPROVAL OF THE MULTIPLE-
FAMILY SUBDIVISION RECORD PLAT (EASEMENT
PLAT) FOR MONARCH TRACE, A 15.52-ACRE TRACT
OF LAND, ZONED “R-5” RESIDENCE DISTRICT, WITH
PEU LOCATED ON LYDIA HILL DRIVE ACROSS FROM
CENTRAL CITY 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. 2205. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2205 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2205. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2205 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2205, with the following results: Ayes – Streeter, Geiger, Casey, Durrell, Hurt, Fults, Flachsbart and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2205 approved, passed it and it became **ORDINANCE NO. 1980.**

BILL NO. 2206

**ADOPTS AND ENACTS THE ELECTRICAL CODE OF
ST. LOUIS COUNTY AS AMENDED AS ELECTRICAL
CODES OF THE CITY OF CHESTERFIELD (FIRST AND
SECOND READINGS – DEPARTMENT OF PLANNING
RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2206. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2206 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2206. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2206 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2206, with the following results: Ayes – Hurt, Streeter, Casey, Fults, Flachsbar, Brown, Geiger and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2206 approved, passed it and it became **ORDINANCE NO. 1981**.

ADJOURNMENT

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

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk