



**RECORD OF PROCEEDING
MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT
922 ROOSEVELT PARKWAY, OCTOBER 17, 1994**

The meeting was called to order at 7:10 P.M.

A roll call was taken with the following results:

Mayor Jack Leonard None
Councilmember Barry Flachsbart
Councilmember Colleen Hilbert
Councilmember Bill Devers
Councilmember Ed Levinson
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Mike Cullen
Councilmember Linda Tilley

The Pledge of Allegiance was led by Girl Scout Troop #340 from Bellerive Elementary School: Rebecca Adler, Amanda Fink, Jessica Kallman, Kate Kosteale, Emily Ross, Stacy Shapiro and Alice Wack. Also in attendance were Troop Leaders Mary Alice Wack and Jan Kostelc.

Reverend James Capps from Bonhomme Presbyterian Church led the City Council in prayer.

Mayor Jack Leonard requested that those individuals desiring to address City Council should fill out a speakers cards within the first ten (10) minutes of the Council meeting. He further stated that only those in attendance would be permitted to speak and no video tapes would be permitted. He reminded those in attendance that an individual representing a group would be allowed five (5) minutes for their presentation and individuals would be allowed three (3) minutes for their presentation. Unused portions of a presentation could not be passed on to another speaker. Finally, applause or cheers would count against the speaker's allotted time.

The minutes of the October 3, 1994, meeting was submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Hurt, to approve the minutes. Two corrections were noted. A voice vote was taken to approve the minutes, as amended, with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mayor Leonard presented a Proclamation to Mr. Stanley Dolecki for recognition of his long and distinguished career and service to the City of Chesterfield.

Mr. Richard Godwin, who resides at 16560 Chesterfield Airport Road, expressed his opposition to the adoption of Bill #986 until traffic problems have been resolved.

Reverend Harvey Fields expressed his neutrality regarding Bill #986 and rezoning issues, but called for unity of the community to support what is good for the community in general.

Ms. Wendy Geckeler, who resides at 26 Chesterfield Lakes, expressed her opposition to Bill #986 and supports the preservation of greenspace on Wild Horse Creek Road.

Mr. Chris Layton, who resides at 16809 Wild Horse Creek Road, expressed his support for the preservation of greenspace on Wild Horse Creek Road.

Mr. William Douglas Zweig, who resides at 21 Chesterfield Lakes Road, expressed his opposition to future development along Wild Horse Creek Road and its affect on Rockwood School District's enrollment in that area.

Mr. John Hammond, who resides at 1203 Walnut Hill Farm, is a Trustee representing Walnut Hill Farms Subdivision, and expressed opposition to development of smaller than one acre lots in West Chesterfield, along with no commercial zoning.

Ms. Helen Binz, who resides at 16811 Ashbury Circle, expressed her support for preservation of greenspace on the Wild Horse Creek Road corridor.

Ms. Sandhya Gupta, who resides at 23 Chesterfield Lakes, expressed her support for the preservation of greenspace in West Chesterfield.

Ms. Pat Buzzanga, who resides at 16821 Wild Horse Creek Road, read a letter from Ms. Ursula Adrian Smith, regarding her support for one acre minimum lot sizes and the preservation of greenspace in West Chesterfield.

Mr. Jim Winn, who resides at 24 Chesterfield Lakes, read a letter printed in the Missouri Conservation which expressed his support for the preservation of greenspace in West Chesterfield.

Mr. Don Sarno, who resides at 12 Chesterfield Lakes, presented a slide presentation in support of the preservation of greenspace in West Chesterfield.

Dr. Theodosios Korakianitis, who resides at 27 Chesterfield Lakes, made a presentation through the use of transparencies to express his support for the preservation of greenspace along Wild Horse Creek Road.

Ms. Rachel Nolan, who resides at 1739 Baxter Forest Valley Court, expressed her support for the preservation of greenspace in West Chesterfield and support for a parks system.

Due to the attendance of 213 residents interested/concerned in the result of Council's vote on Bill #986, Councilmember Hilbert suggested that the agenda be modified to consider adoption of Bill #986 at this time.

BILL # 986 AMENDS ST. LOUIS COUNTY ORDINANCE #13,759 AUTHORIZING A DEVELOPMENT IN THE "C-8" PLANNED COMMERCIAL DISTRICT FOR A 13.9 ACRE TRACT OF LAND AND APPROVES A CHANGE OF ZONING FROM "NU" NON-URBAN DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT FOR A 0.6 ACRE TRACT OF LAND, BOTH TRACTS LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD, ON EACH SIDE OF ITS INTERSECTION WITH BAXTER ROAD EXTENSION (P.Z. 20-94, CHESTERFIELD VILLAGE, INC. - WILD HORSE/BAXTER CENTER) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to refer Bill #986 to the Planning Commission for additional review. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte. Nays - Devers, Levinson, Cullen, Tilley. Mayor Leonard broke the tie by voting "No".

A motion was then made by Councilmember Hurt, seconded by Councilmember Tilley, for the first reading of Bill #986. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Hilbert voted "no") and the motion was declared passed. Bill #986 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for a second reading of Bill #986. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Hilbert voted "No") and the motion was declared passed. Bill #986 was read for the second time. A roll call vote was taken for passage and approval of Bill #986, with the following results: Ayes - Devers, Levinson, Hurt. Nays - Flachsbart, Hilbert, Politte, Cullen, Tilley. Whereupon Mayor Leonard declared Bill #986 **DEFEATED**.

Mayor Leonard recessed the meeting for a short break. The meeting was reconvened at 8:37 P.M.

COUNCIL COMMITTEE REPORTS

Planning and Zoning

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that the 4

petitioner has requested that Bill #955 be considered for adoption. A motion was made by Councilmember Hurt, seconded by Councilmember Politte, to remove Bill #955 from the table. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill #'s 984 (Planning and Zoning Committee version) and 985 (Planning Commission version), will be considered for adoption under the Legislation portion of the agenda. Councilmember Levinson stated his intention to amend Bill #984. In addition, Bill #'s 986, 987 and 988 will also be voted upon in the Council meeting.

Councilmember Hurt next reported that the Committee voted to recommend that City Council approve sending notices regarding the November 2 public meeting with Mr. Lane Kendig, concerning the Subdivision and Zoning Regulations to all Subdivision Trustees and businesses with City licenses to increase public attendance at this meeting. Mr. Lane Kendig, Consultant, will make a presentation on "Community Character." It will cost approximately \$425 to send the mailing. A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, to approve the cost of \$425 for mailing the notices to Subdivision Trustees and businesses with City licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Funds to cover this expense will come from the Planning Department budget.

Councilmember Hurt next reported that the Committee voted to recommend that City Council approve reimbursement of filing fees to Richard Halbman, in conjunction with a request to amend a Planned Environment Unit Procedure for White Gate Farms. The fee is in the amount of \$359. A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, to reimburse Mr. Halbman the amount of \$359. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that the Committee voted to recommend that City Council approve reimbursement of filing fees to Chesterfield Village, Inc., in conjunction with a request for rezoning and Planned Environment Unit Procedure for Wildhorse Hills Apartments. The fee is in the amount of \$393. A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, to reimburse Chesterfield Village, Inc. the amount of \$393. A voice vote was taken with a unanimous affirmative result and the motion 5

was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for October 19, 1994, at 5:30 P.M. A Public Hearing has been scheduled this same date at 5:00 P.M. regarding the indoor golf range.

Finance and Administration

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, reported that Bill #'s 978 and 980 - 982 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hilbert announced that the next meeting of this Committee has been scheduled for October 24, 1994, at 5:30 P.M.

Public Works/Parks

Councilmember Ed Levinson, Chairperson of the Public Works/Parks Committee, reported that Bill #979 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte gave an update on the November 8 election. He reminded those in attendance that Proposition P (Chesterfield parks) would appear on this ballot and urged everyone to VOTE!

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for October 19, 1994, at 7:30 P.M.

Public Health and Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that the Committee reviewed the current policy for the placement of stop signs in the City and is submitting a copy of same to City Council for its review/input in the policy as follows, listing the type of street and criteria respectively: Highways, National Standards; Arterials, National Standards; Collector Streets, all subdivisions that use street would be required to review/approve the proposed sign. (80% approval of residents of those subdivisions and approval by trustees of those subdivisions; Neighborhood /through streets, all subdivisions on the entire street would be required to review/approve the proposed sign. (75% approval of residents of those subdivisions and approval by trustees of those subdivisions; Inside one subdivision, approval by 75% of residents and trustees of that one subdivision. It was noted that the street list was not complete. The Public Health and Safety Committee will review the comments/suggestions from members of the Council for final recommendation. In addition, she stated 6

that the Committee recommends that all requests for stop signs be reviewed by the Public Health and Safety Committee before being sent to City Council. Some discussion ensued. Councilmember Devers requested that Mr. Geisel include county and state roads, along with city streets for a complete street list. This complete street list is to be distributed at the next Public Health and Safety Committee meeting. Councilmember Tilley announced that the net meeting of this Committee has been scheduled for November 30, 1994, at 7:00 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City has received a liquor license request from Chesterfield Sports Complex, Inc., located at 609 Cepi Drive, to sell all kinds of intoxicating liquor by the drink for consumption on the premise where sold and Sunday sales, fee \$700. The application has been approved by Director of Planning Jerry Duepner and Chief of Police Ray Johnson. A motion was made by Councilmember Levinson, seconded by Councilmember Devers, to approve issuance of this liquor license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the Public Works/Parks Committee had authorized a negotiating team to meet with Development Strategies to finalize the pricing for the next Phase of the Chesterfield Valley Master Development Plan. As negotiated, that price will total \$106,500. The original budget established for this work was \$215,000. \$12,500 had previously been allocated to cover expenses associated with the T.I.F. Plan, leaving a current balance of \$202,500. When subtracting the amount of the current recommended scope of work (\$106,500), the balance remaining in this account is \$96,000. The work that continues to be negotiated presently totals \$54,250, leaving an unallocated balance of \$41,750 for this account. A motion was made by Council member Devers, second ed by Councilmember Levinson, to contract with Development Strategies for Phase III of the Chesterfield Valley Master Development Plan in the amount of \$106,500. 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 completion of a wetland identification 7

and cultural resource survey within the Chesterfield Valley. This work is necessary due to requirements established by the Corps of Engineers, prior to the issuance of permits for the installation/construction of five (5) pump stations within the Valley, for which we have recently received a grant from the EPA. This work is also beneficial to developers and property owners within the Valley and was originally considered as part of the Phase III of the Master Development Plan, which is being conducted by Development Strategies. Having reviewed all proposals received, Mr. Herring joined with Mr. Mike Geisel, Director of Public Works/City Engineer, in recommending approval of the proposal submitted by Black and Veatch, in an amount not to exceed \$46,000 for a wetland identification and cultural resource survey. A motion was made by Councilmember Devers, seconded by Councilmember Levinson, to approve that a contract be entered into with Black & Veatch, in an amount not to exceed \$46,000, for a wetland identification and cultural resource survey. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

City Administrator Herring announced that Mayor Jack Leonard has recently been appointed to serve as a member of the Board of the Missouri Municipal League.

LEGISLATION

BILL #978 WAIVES THE ANNUAL VENDING MACHINE LICENSE TAX FOR CERTAIN VENDING MACHINES PROVIDING HEALTH-RELATED PRODUCTS OR SERVICES WITHIN THE CITY OF CHESTERFIELD (SECOND READING- FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, for a second reading of Bill #978. A voice vote was taken with an affirmative result Councilmembers Flachsbart and Tilley voted "No") and the motion was declared passed. Bill #978 was read for the second time. A roll call vote was taken for passage and approval of Bill #978, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Cullen . Nays - Flachsbart, Politte, Tilley. Whereupon Mayor Leonard declared Bill #978 approved, passed it and it became ORDINANCE #951.

BILL #979 PERTAINS TO THE ACCEPTANCE OF LADUE GLEN COURT AS A PUBLIC STREET WITHIN THE CITY OF CHESTERFIELD (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, for a second reading of Bill #979. A voice vote was taken with a unanimous affirmative result and the motion was 8

declared passed. Bill #979 was read for the second time. A roll call vote was taken for passage and approval of Bill #979, with the following results: Ayes - Flachsbart, Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #979 approved, passed it and it became ORDINANCE #952.

BILL #980 DESIGNATES A PORTION OF THE CITY OF CHESTERFIELD A REDEVELOPMENT AREA; APPROVES A REDEVELOPMENT PLAN; AND APPROVES REDEVELOPMENT PROJECTS UNDER THE REAL PROPERTY TAX INCREMENT ALLOCATION REDEVELOPMENT ACT; AND MAKES FINDINGS RELATED THERETO (SECOND READING - T.I.F. COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hilbert, seconded by Councilmember Devers, for a second reading of Bill #980. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #980 was read for the second time. Councilmember Flachsbart expressed his concern with the term "blight" being used in the T.I.F. for the Chesterfield Valley, as well as that the area is an economic and social liability, that the Valley will not be subject to growth through investments by private investors and that it would not reasonably be developed without the T.I.F., and that taxes for the Chesterfield Fire Protection District, the Special School District and libraries would be lost. A roll call vote was taken for passage and approval of Bill #980, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - Flachsbart. Whereupon Mayor Leonard declared Bill #980 approved, passed it and it became ORDINANCE #953.

BILL #981 AFFIRMS APPROVAL OF A REDEVELOPMENT AREA AND REDEVELOPMENT PROJECTS; ADOPTS TAX INCREMENT ALLOCATION FINANCING; ESTABLISHES THE CHESTERFIELD VALLEY SPECIAL ALLOCATION FUND; AND AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO CONTRACTS TO FACILITATE REVENUE ALLOCATION AND COLLECTION (SECOND READING - T.I.F. COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, for a second reading of Bill #981. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #981 was read for the second time. A roll call vote was taken for passage and approval of Bill #981, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - Flachsbart. Whereupon Mayor Leonard declared Bill #981 approved, passed it and it became ORDINANCE #954.

BILL #982 PROVIDES FOR RELOCATION ASSISTANCE FOR CERTAIN REDEVELOPMENT ACTIVITIES PURSUANT TO SECTION 523.200 THROUGH 523.215 MISSOURI REVISED STATUTES (RSMo), 1986, AS AMENDED (SECOND READING - T.I.F. COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, for a second reading of Bill #982. A voice vote was taken with a unanimous affirmative result and the motion was 9

declared passed. Bill #982 was read for the second time. A roll call vote was taken for passage and approval of Bill #982, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - Flachsbart. Whereupon Mayor Leonard declared Bill #982 approved, passed it and it became ORDINANCE #955.

LEGISLATION - PLANNING COMMISSION

BILL #955 AMENDS ST. LOUIS COUNTY ORDINANCE #'S 12,681, 12,918, 12,933, 13,181, 13,183, 13,857 AND REPEALS CITY OF CHESTERFIELD ORDINANCE #'S 790 AND 548 FOR A NEW AMENDED ORDINANCE RELATING TO "M-3" PLANNED INDUSTRIAL DISTRICT LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, WEST OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND OLD OLIVE STREET ROAD (P.C. 14-90, STORAGE MASTERS, INC.) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill #955. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #955 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #955. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #955 was read for the second time. A roll call vote was taken for passage and approval of Bill #955, with the following results: Ayes - Flachsbart, Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #955 approved, passed it and it became ORDINANCE #956.

BILL #984 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF "NU" NON-URBAN DISTRICT TO "R-2" 15,000 SQ. FT. RESIDENCE DISTRICT AND "R-3" 10,000 SQ. FT. RESIDENCE DISTRICT WITHIN A PLANNED ENVIRONMENT UNIT PROCEDURE FOR A 101.30 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD, APPROXIMATELY 150 FT. EAST OF THE INTERSECTION OF APPALACHIAN TRAIL AND OLIVE BOULEVARD (P.Z. 18 & 19-93, NOONING TREE PARTNERSHIP) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill #984. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #984 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #984. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #984 was read for the second time. A roll call vote was taken for passage and 10

approval of Bill #984, with the following results: Ayes - Flachsbart, Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #984 approved, passed it and it became ORDINANCE #957.

BILL #987 AMENDS ST. LOUIS COUNTY ORDINANCE #14,704 FOR A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD, EAST OF WOODS MILL ROAD (P.C. 62-75, STEAK N' SHAKE, INC.) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill #987. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #987 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #987. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #987 was read for the second time. A roll call vote was taken for passage and approval of Bill #987, with the following results: Ayes - Flachsbart, Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #987 approved, passed it and it became ORDINANCE #958.

BILL #988 AMENDS THE CONDITIONS OF CITY OF CHESTERFIELD ORDINANCE #854 WHICH AUTHORIZED A CHANGE IN ZONING FROM "NU" NON-URBAN DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT FOR 1.95 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE STREET ROAD AT CHESTERFIELD AIRPORT ROAD (P.Z.26-93, GLENN NOVACK/REIDIA MCGRATH (THE WEDGE) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill #988. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #988 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #988. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #988 was read for the second time. A roll call vote was taken for passage and approval of Bill #988, with the following results: Ayes - Flachsbart, Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #988 approved, passed it and it became ORDINANCE #959.

ADJOURNMENT

A motion was made by Councilmember Politte, 11

seconded by Councilmember Devers, 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 9:25 P.M.

Mayor Jack Leonard

ATTEST:

Martha L. DeMay, City Clerk