

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD

October 15, 2001

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

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 Charles Scheidt

ABSENT

None

Mayor Nations requested that everyone join him in the Pledge of Allegiance and then followed with a moment of silent prayer.

Mayor John Nations presented a proclamation to Annie Davis, who collected over \$238 by selling lemonade to raise money to support the relief effort in New York.

APPROVAL OF MINUTES

The minutes of the October 3, 2001, City Council meeting were submitted for approval. Councilmember Flachsbart made a motion to approve the City Council minutes. Councilmember Scheidt seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mayor Nations introduced Chief of Police Ray Johnson, who presented “National Night Out” awards to White Plains and Greenfield Village subdivisions for participation and Coventry Farm subdivision for their program.

Jerry Duepner, representative from the Jones Company, reported that there were 8100 sq. ft. in the overall site for P.Z. 41-2000, Howard Bend.

Rodney Falgout, who resides at 1224 Hillcrest Field Drive, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Shelby Edwards, who resides at 17704 Greystone Terrace, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Lee Wall, who resides at 14759 Plumas, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Jeff Edwards, who resides at 17704 Greystone Terrace, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Craig Decker, who resides at 15518 Century Lake Drive, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Mike Griffin, who resides at 16657 Chesterfield Manor Drive, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Alexis Haglin Richert, who resides at 2354 Sportsman Hill, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Dan Corich, who resides at 1316 Bentley Place Drive, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Robert Meder, who resides at 2043 Alexandria Row in O'Fallon, MO, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Terry O'Brien, who resides at 434 Whitestone Farm Drive, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

William Nelson, who resides at 331 Atwell Court, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Carol McTavish, who resides at 17417 Country Lake, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Linda Tilley, who resides at 1926 Grayson Ridge, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Barbara Larimore, who resides at 18725 Wild Horse Creek Road, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Lynne Strasser, who resides at 19615 Adjers Wharf, supported the proposed Stoneridge development.

Bob Nation, who resides at 17669 Bridgeway Circle, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Phiullip Horton, who resides at 1837 Shadywood Court, supported hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

John Hammond, who resides at 1203 Walnut Hill Farm, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

Harvey Present, who resides at 1073 Appalachian Trail, opposed hiring a consultant to review the activities of Spirit Airport, as it impacts the residents of Chesterfield.

APPOINTMENTS

Mayor Nations placed the name of Rodney Falgout in nomination to serve as a member of the Chesterfield Community Development Corporation. (Councilmember Scheidt left the dais just prior to this nomination.) Councilmember Brown made a motion, seconded by Councilmember Flachsbart, to appoint Mr. Falgout to the Chesterfield Community Development Corporation. A voice vote was taken with an affirmative result (Councilmember Scheidt was not present to vote) and the motion was declared passed. Mr. Falgout's term will expire July 20, 2004.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that, at the request of City Council, the Committee had gathered information regarding the possibility of hiring an outside consultant with expertise in aviation law, to advise the City relating to citizen concerns pertaining to Spirit Airport. After reading questions and answers provided by Thompson Coburn, a consultant who submitted a proposal for this scope of work, Councilmember Casey stated he was not in a position to make a motion to support hiring a consultant for this project. (Councilmember Scheidt returned to the dais at this time.) Councilmember Flachsbart made a motion, seconded by Councilmember Scheidt, to accept the proposal from Thompson Coburn to conduct an environmental impact study as it relates to Spirit Airport issues and to transfer \$15,000 from Contingency to cover the cost of this project. Discussion ensued. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to call for the question. A voice vote was taken with an affirmative results (Councilmember Casey voted "No").

A roll call vote was taken on the original motion with the following results: Ayes – Geiger, Scheidt, Brown, Durrell and Flachsbart. Nays – Streeter, Casey and Hurt. Mayor Nations declared the motion passed.

Councilmember Casey next reported that Bill No. 2011 (increases fines for false alarms), Bill No. 2013 (amends Ordinance No. 35 to reflect speed limits on Edison Avenue), Bill No. 2014 (amends Ordinance No. 35 to place “No Parking” signs on Edison Avenue) and Bill No. 2015 (lowers blood alcohol content level regarding DWI prosecution) would be considered for adoption under the “Legislation” portion of the agenda.

Planning and Zoning Committee

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, made a motion, seconded by Councilmember Flachsbart, to hold Bill No. 1998 (Nooning Tree (PEU), due to on-going negotiations with Mr. Seegar, owner of the adjacent property to Nooning Tree, for a possible access road to Olive Boulevard. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt next reported that Bill No. 2017 (P.Z. 41-2001, Howard Bend (rezoning) and Bill No. 2018 (P.Z. 42-2001, Howard Bend (PEU) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Scheidt announced that the next meeting of this Committee has been scheduled for October 18 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City received a liquor license request from El Maguey, located at 104 Chesterfield Town Center, to sell all kinds of liquor by the drink for consumption on the premises and Sunday sales. Councilmember Durrell made a motion, seconded by Councilmember Scheidt, to approve the liquor license for El Maguey. 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. 2011 AMENDS ORDINANCE NUMBER 436, CODE SECTION 3-8 (A) INCREASING THE FINE FOR THIRD OFFENSES FOR FALSE ALARMS (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2011. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2011 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2011, with the following results: Ayes – Hurt, Durrell, Brown, Scheidt, Streeter, Flachsbart, Geiger, and Casey. Nays - None. Whereupon Mayor Nations declared Bill No. 2011 approved, passed it and it became **ORDINANCE NO. 1795**.

BILL NO. 2013 AMENDS ORDINANCE NO. 35, SCHEDULE III OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ESTABLISHING THE SPEED LIMIT OF CERTAIN PORTIONS OF EDISON AVENUE (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2013. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2013 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2013, with the following results: Ayes – Durrell, Scheidt, Flachsbart, Casey, Brown, Streeter, Geiger and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2013 approved, passed it and it became **ORDINANCE NO. 1796**.

BILL NO. 2014 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON EDISON AVENUE, EAST OF GODDARD AVENUE (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2014. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2014 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2014, with the following results: Ayes – Brown, Geiger, Flachsbart, Scheidt, Casey, Durrell, Streeter and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No.2014 approved, passed it and it became **ORDINANCE NO. 1797**.

BILL NO. 2015 AMENDS THE CURRENT CITY OF CHESTERFIELD ORDINANCE RELATIVE TO THE PERCENTAGE OF BLOOD

ALCOHOL CONTENT WHICH WILL CONSIST OF A
VIOLATION OF THE MUNICIPAL ORDINANCE (**SECOND
READING** - PUBLIC HEALTH AND SAFETY COMMITTEE
RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2015. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2015 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2015, with the following results: Ayes – Durrell, Casey, Geiger, Streeter, Scheidt, Brown, Flachsbart and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2015 approved, passed it and it became **ORDINANCE NO. 1798**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2017 REQUESTS FOR A CHANGE IN ZONING FROM “NU” NON-URBAN TO “R-3” 10,000 SQUARE FOOT RESIDENTIAL DISTRICT FOR 39.18 ACRES OF LAND LOCATED ON OLIVE BOULEVARD, ACROSS FROM THE INTERSECTION OF LADUE ROAD AND OLIVE BOULEVARD (P.Z.41-2001, HOWARD BEND) (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2017. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2017 was read for the first time.

BILL NO. 2018 ESTABLISHES A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE “R-3” 10,000 SQUARE FOOT RESIDENTIAL DISTRICT FOR A 39.18 ACRE TRACT OF LAND LOCATED ON OLIVE BOULEVARD, ACROSS FROM THE INTERSECTION OF LADUE ROAD AND OLIVE BOULEVARD (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2018. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2018 was read for the first time.

ADJOURNMENT

Mayor Nations entertained a motion to adjourn the meeting. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Hurt seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 9:07 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk