

RECORD OF PROCEEDING

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

October 3, 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

The Pledge of Allegiance was led by Boy Scout Troop #677 from Ellisville United Methodist Church: Tad Aderman, Zach Engleman, Brad Pagel and Allan Lobbe. Also in attendance was Troop Leader Ed Aderman.

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

APPROVAL OF MINUTES

The minutes of the September 19, 2001, City Council meeting were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Durrell seconded the motion. A voice vote was taken with an affirmative result (Councilmember Brown "Abstained") and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations suggested that due to the number of residents in attendance interested in Bill No. 1998, Nooning Tree, PEU ordinance amendment, he would like to address that

issue at this time. Councilmember Streeter made a motion, seconded by Councilmember Scheidt, to suspend the rules of Council to address Bill No. 1998, Nooning Tree. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The Mayor stated that he had, in fact, contacted and met with the Seegar family this date to discuss another access road on to Olive Boulevard. Some discussion ensued.

BILL NO. 1998 AMENDS ORDINANCE NO. 1271, A PLANNED
ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE
“R-3” 10,000 SQUARE FOOT RESIDENCE DISTRICT FOR A
30.47 ACRE TRACT OF LAND LOCATED ON THE SOUTH
SIDE OF OLIVE BOULEVARD, WEST OF THE
INTERSECTION OF OLIVE BOULEVARD AND WHITE ROAD
AND ON THE WEST SIDE OF WHITE ROAD, SOUTH OF THE
INTERSECTION OF OLIVE BOULEVARD AND WHITE ROAD
(**SECOND READING**) (PLANNING AND ZONING
COMMITTEE RECOMMEND APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Durrell, to hold Bill No. 1998, until the October 15 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Steve Greenwood, who resides at 14441 Corallin Drive, opposed an access road to White Road, regarding Bill No. 1998, Nooning Tree, PEU Ordinance Amendment.

Nancy Greenwood, who resides at 14441 Corallin Drive, opposed an access road to White Road, regarding Bill No. 1998, Nooning Tree, PEU Ordinance Amendment and thanked the Mayor and City Council for pursuing negotiations on the Seegar tract of land.

Jeff Stevenson, who resides at 14539 White Birch Valley Lane, opposed an access road to White Road, regarding Bill No. 1998, Nooning Tree, PEU Ordinance Amendment. Councilmember Barry Flachsbart requested that statistics be provided on the number of accidents on White Road and Olive Boulevard.

Lynne Strasser, who resides on Adjers Wharf Drive, opposed Bill No. 1020, P.Z. 44-2000, Stoneridge Development.

Mary Schultz, attorney representing Stoneridge Development, supported Bill No. 1020, P.Z. 44-2000, Stoneridge Development.

B. G. Wardlaw, who resides at 86 Heatherview Drive and member of the Planning Commission, supported Bill No. 1020, P.Z. 44-2000, Stoneridge Development.

Shawn Furlong, who resides at 14509 Debbenham, opposed Bill No. 1020, P.Z. 44-2000, Stoneridge Development.

Denise Koessel, who resides at 1530 Candish Lane, opposed Bill No. 1020, P.Z. 44-2000, Stoneridge Development.

Brandon Lane, who resides at 1180 Toreador, opposed the right of individuals to sell produce not grown on their own property.

Joe Lane, who resides at 1180 Toreador, opposed the right of individuals to sell produce not grown on their own property.

Councilmember Hurt made a motion to suspend the rules of Council to change the agenda in order to address Bill No. 2010, P.Z. 44-2000, Stoneridge Development, due to the interest of the audience. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2010 AMENDS THE ZONING ORDINANCE OF THE CITY OF
CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN
“NU” NON-URBAN DISTRICT TO AN “R-5” 6,000 SQ. FT.
RESIDENCE DISTRICT FOR 9.2 ACRES OF LAND LOCATED
ON THE SOUTH SIDE OF SOUTH OUTER FORTY ROAD,
NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH
LANE (P.Z. 44-2000, STONERIDGE DEVELOPMENT)
(**SECOND READING – PLANNING AND ZONING
COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2010. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2010 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2010, with the following results: Ayes – Casey, Brown, Geiger, Streeter, Scheidt, Durrell, Hurt and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2010 approved, passed it and it became **ORDINANCE NO. 1789**.

APPOINTMENTS

Mayor Nations placed the names of Julianne Chana, Maurice (Bud) Hirsch and Kathy Higgins for re-appointment to the Chesterfield Arts Commission. Councilmember Casey made a motion, seconded by Councilmember Flachsbart to appoint Ms. Chana, Mr. Hirsch and Ms. Higgins to serve another 4-year term on the Chesterfield Arts Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. All three terms will expire August 1, 2005.

Mayor Nations next placed the name of Emory Jackson for re-appointment to serve as a member of the Finance and Administration Citizens Advisory Committee. Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, to re-appoint Emory Jackson to serve another 3-year term on the Finance and Administration

Citizens Advisory Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Jackson's term will expire June 15, 2004.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that the Committee reviewed the current policy regarding citizen requests for stop and/or yield signs on City non-through, internal streets. The current policy allows for the placement of signage on these streets by request from the appropriate subdivision trustees along with signatures to verify that 75% of the residents support the placement of the signs. The Committee concluded that this policy has resulted in too many unwarranted stop signs. As a result, the Committee voted unanimously to change the percentage of residential approval required from 75% to 90%. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to change the current policy from 75% residential approval to 90% residential approval for the installation of stop and/or yield signs to be installed on non-through, internal City streets as requested by the subdivision trustees. Additionally, all requests for stop/yield signs must now be forwarded first to the Public Health and Safety Committee. A voice vote was taken with an affirmative result (Councilmember Brown voted "No") and the motion was declared 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 re: DWI prosecution) will be read for the first time under the Legislation portion of the agenda in the Council meeting.

Councilmember Casey next reported that interviews for an Airport Consultant would be held October 8 at 6 p.m. and 7 p.m. at Public Works Maintenance Facility during the next meeting of the Public Health and Safety Committee.

Planning and Zoning Committee

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2007 (P.Z. 40-2000, Larry Enterprises, Bill No. 2012 (approves the record plat at the intersection of Timberlake Manor Parkway and North Outer Forty Road), Bill No. 2016 (approves the re-subdivision plat for Chesterfield Commons) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Scheidt announced that the next meeting of this Committee has been scheduled for October 4 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the proposed Five-Year Budget has been submitted for City Council review and adoption. Mr. Herring noted that the change approved by the consensus of City Council, to reduce the Contingency to a fixed amount of \$150,000 per year, will have a very positive impact to the bottom line, increasing Fund Reserves to a level of 32.1%, which is up from the 26.8% level previously discussed. Councilmember Hurt made a motion, seconded by Councilmember Durrell, to adopt Resolution No. 277, which adopts the Five-Year Budget. A roll call vote was taken with the following results: Ayes – Durrell, Brown, Geiger, Streeter, Casey, Flachsbart, Scheidt and Hurt. Nays – None. Mayor Nations declared the motion passed.

Mr. Herring next reported that proposals were recently sought for underwriting services in conjunction with the Tax Increment Financing (TIF) bonds that the City plans to issue later this year. Four different proposals were received. Mr. Herring shared with the Mayor and City Council that Standard & Poor's recently completed their rating for this Chesterfield TIF District Bond Issue and assigned a rating of "BBB," which is an "investment grade" rating. The City's Financial Advisor, Michele Bock with Stern Brothers, informed Mr. Herring that a rating this high has never been achieved by a stand-alone Missouri TIF District. She noted that it is very rare and unusual to achieve such an "investment grade" rating since the only revenues pledged for repayment of the debt are derived from the district itself and not from the "full faith and credit" of the City of Chesterfield. This clearly indicates the strength and the positive performance of the Chesterfield TIF District, as viewed by independent bond rating firms, such as Standard & Poor's. Based upon a complete analysis of the four proposals received, both the Financial Advisor, Michele Bock, and Director of Finance and Administration Jan Hawn recommend the selection of A. G. Edwards as the Bond Underwriter for this issuance, as well as awarding US Bancorp Piper as an alternate underwriter. It was noted by both Ms. Bock and Ms. Hawn that A. G. Edwards had the best "true interest costs" at the time of the proposal. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve A. G. Edwards as the Bond Underwriter for the issuance of TIF bonds and US Bancorp as the alternate underwriter. 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 (FIRST READING - PUBLIC HEALTH AND
SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first 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 first time.

**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 (FIRST READING - PUBLIC HEALTH
AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first 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 first time.

**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 (FIRST READING -
PUBLIC HEALTH AND SAFETY COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first 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 first time.

**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 (FIRST
READING - PUBLIC HEALTH AND SAFETY COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first 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 first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2007 REQUESTS A CHANGE IN ZONING FROM “NU” NON URBAN

DISTRICTS TO “PI” PLANNED INDUSTRIAL DISTRICT FOR A 14.1 ACRE SITE LOCATED NORTH OF INTERSTATE 64/HIGHWAY 40 AND NORTH OF NORTH OUTER 40, WEST OF BOONE’S CROSSING (P.Z. 40-2000, LARRY ENTERPRISES) (**SECOND READING - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2007. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2007 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2007, with the following results: Ayes – Flachsbart, Durrell, Casey, Scheidt, Brown, Hurt, Streeter and Geiger. Nays - None. Whereupon Mayor Nations declared Bill No. 2007 approved, passed it and it became **ORDINANCE NO. 1790.**

BILL NO. 2012 PROVIDES FOR THE APPROVAL OF TIMBERLAKE CORPORATE CENTER, A 20 ACRE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED AND ESCROW AGREEMENT, A “C-8” COMMERCIAL DISTRICT LOCATED AT THE INTERSECTION OF TIMBERLAKE MANOR PARKWAY AND NORTH OUTER ROAD (**FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2012. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2012 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2012. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2012 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2012, with the following results: Ayes – Geiger, Brown, Streeter, Casey, Flachsbart, Durrell, Scheidt and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2012 approved, passed it and it became **ORDINANCE NO. 1791.**

BILL NO. 2016 PROVIDES FOR THE APPROVAL OF THE RE-SUBDIVISION PLAT, FOR CHESTERFIELD COMMONS, LOTS 1-5 AND 7, LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD AND EAST OF BOONE’S CROSSING (**FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2016. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2016 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2016. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2016 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2016, with the following results: Ayes – Hurt, Durrell, Flachsbart, Scheidt, Geiger, Brown, Streeter, and Casey. Nays - None. Whereupon Mayor Nations declared Bill No. 2016 approved, passed it and it became **ORDINANCE NO. 1792**.

ADJOURNMENT

Mayor Nations entertained a motion to adjourn the meeting. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:20 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk