



RECORD OF PROCEEDING

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

September 20, 2004

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

Boy Scout Troop #677 from Ellisville United Methodist Church led everyone in the Pledge of Allegiance: Ryan Abate, Andy Miller, Sam Hanau, Jacob Schroeder and Tony Widenor. Also in attendance were Troop Leaders Jeff Weatherford and Mike Strobl.

Mayor Nations 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

INTRODUCTORY REMARKS

Mayor John Nations announced that the next meeting of City Council would take place on October 4 at 7 p.m.

APPROVAL OF MINUTES

The minutes of the September 8, 2004, 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 a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mark Miller, who resides at 1619 Wildhorse Parkway, supported Bill No.2308 (P.Z. 14-2004, Delmar Gardens).

Laura Lueking, who resides at 15021 Conway Road, supported Bill No.2308 (P.Z. 14-2004, Delmar Gardens).

Robert Klostermeyer, who resides at 922 Pavillion Drive, represented the Woodlake Resident Association, and inquired as to the status of the record plat they submitted for approval. City Attorney Doug Beach told Mr. Klostermeyer that the plat will be approved within the near future.

Leonard Meers, civil engineering consultant, supported Bill No. 2303 (Thomas and Jane Shenert – Smokehouse addition).

Royce Engel, who resides at 135 Ridgecrest Drive, expressed his disappointment with the Chesterfield Fire Protection District and all other fire protection districts within the St. Louis County area for misuse of funds and suggested that changes regarding this situation need to come from state and local government.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2304 (Restricts parking on Baron's Way Drive) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart next introduced Resolution No. 304, which contained the rewritten copy of the City's Emergency Operations Plan. This Plan rewrite was developed through a federal grant in order to better organize the City of Chesterfield plan in relationship to other St. Louis County emergency planning operations. The content of the plan was not materially altered, basically just re-formatted. Councilmember Flachsbart made a motion, seconded by Councilmember Casey to adopt Resolution No. 304 (City of Chesterfield Emergency Operations Plan). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Planning and Zoning Committee

Councilmember Bruce Geiger, Chairperson of the Planning and Zoning Committee, made a motion, seconded by Councilmember Streeter, to hold Bill No. 2298 (Capitol Land,

P.Z. -11-2003). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger next reported that Bill No. 2307 (P.Z. 16-2003, THF Chesterfield Two Development, L.L.C.) and Bill No. 2308 (P.Z. 14-2004, Delmar Gardens) will be read for the first time and Bill No. 2303 (Thomas and Jane Sehnert – Smokehouse addition) and Bill No. 2309 (Record Plat – Chesterfield Business Park (Lots 7A and 7B) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for September 23 at 5:30 p.m.

FINANCE AND ADMINISTRATION COMMITTEE

Councilmember Mary Brown, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for October 5 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that The Bull Market, located at 17395 Edison Avenue has requested a liquor license to serve all kinds of liquor by the drink in the original package and Sunday sales. This application has been reviewed/approved by both the departments of Planning and Police and, based upon that process, Mr. Herring recommended approval of the liquor license request. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve issuance of the liquor license to The Bull Market. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2304	AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON BARON’S WAY DRIVE (FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)
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Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2304. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2304 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2302	AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN
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**“M-3” PLANNED INDUSTRIAL DISTRICT TO A “PI”
PLANNED INDUSTRIAL DISTRICT FOR A 7.123 ACRE
TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF
EDISON AVENUE AT CEPI DRIVE (P.Z. 30-2002, EDISON
SOUTH INVESTORS, LLC) (SECOND READING –
PLANNING COMMISSION RECOMMENDS APPROVAL;
PLANNING AND ZONING COMMITTEE RECOMMENDS
APPROVAL, AS AMENDED)**

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2302. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2302 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2302, with the following results: Ayes – Brown, Hurt, Flachsbart, Streeter, Fults, Casey, Durrell and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2302 approved, passed it and it became **ORDINANCE NO. 2124.**

**BILL NO. 2303 REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 837
AND INCORPORATES THE CONDITIONS THEREIN TO THE
REVISED ATTACHMENT “A” AUTHORIZING REVISED
FLOOR AREA REQUIREMENTS FOR A “C-8” PLANNED
COMMERICAL DISTRICT, LOCATED WEST OF BAXTER
ROAD AT CHESTERFIELD AIRPORT ROAD (THOMAS AND
JANE SEHNERT- SMOKEHOUSE) (SECOND READING –
PLANNING COMMISSION RECOMMENDS APPROVAL;
PLANNING AND ZONING COMMITTEE RECOMMENDS
APPROVAL, AS AMENDED)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2303. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2303 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to modify Exhibit C with parking spaces to remain the same at 177 spaces and a reduction of 20-25% in greenspace. Much discussion ensued. A roll call vote was taken with the following results: Ayes – Flachsbart and Hurt. Nays – Brown, Durrell, Casey, Fults, Geiger and Streeter. Whereupon, Mayor Nations declared the motion failed. Additional discussion ensued regarding the 178 parking spaces submitted by the Planning and Zoning Department. This number will be verified by the Planning and Zoning Department. Mayor Nations noted that the petitioner will need to comply with the parking requirements. Mayor Nations called for passage and approval of Bill No. 2303, with the following results: Ayes – Brown, Durrell, Casey, Fults, Geiger, Hurt and Streeter. Nays - Flachsbart. Whereupon, Mayor Nations declared Bill No. 2303 approved, passed it and it became **ORDINANCE NO. 2125.**

**BILL NO. 2307 AMENDS THE ZONING ORDINANCE OF THE CITY OF
CHESTERFIELD BY CHANGING THE BOUNDARIES OF A
“C-8” PLANNED COMMERCIAL DISTRICT AND “PC”**

PLANNED COMMERCIAL DISTRICT TO NEW “PC”
PLANNED COMMERCIAL DISTRICT FOR A 61.984 TRACT
OF LAND, LOCATED SOUTH OF CHESTERFIELD AIRPORT
ROAD, EAST OF CHESTERFIELD COMMONS DRIVE, WEST
OF CHESTERFIELD COMMONS EAST DRIVE, AND NORTH
OF EDISON AVENUE (P.Z. 16-2003, THF CHESTERFIELD
TWO DEVELOPMENT, L.L.C. – CHESTERFIELD
COMMONS) **(FIRST READING – PLANNING
COMMISSION RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2307. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2307 was read for the first time.

BILL NO. 2308 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1806
TO ALLOW FOR A PARKING STRUCTURE AND MEDICAL
AND DENTAL OFFICE AND PERMITTED USES FOR AN 8.48
ACRE “PC” PLANNED COMMERCIAL DISTRICT, LOCATED
ON THE NORTH SIDE OF NORTH OUTER 40 ROAD, EAST
OF DELMAR GARDENS AT 14825 AND 14805 NORTH
OUTER 40 ROAD (P.Z. 14-2004 – DELMAR GARDENS)
**(FIRST READING – PLANNING COMMISSION
RECOMMENDS DENIAL; PLANNING AND ZONING
COMMITTEE RECOMMENDS APPROVAL BUT ONLY IF
AMENDED AS DETAILED IN THE ATTACHED “GREEN
SHEETS)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2308. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2308 was read for the first time. Councilmember Geiger made a motion, seconded by Councilmember Casey, to amend Bill No. 2308 pursuant to the “green sheet” attached to the legislation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2309 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT
FOR LOTS 7A AND 7B OF CHESTERFIELD BUSINESS
PARK, A 2.15 ACRE TRACT OF LAND ZONED “PI”
PLANNED INDUSTRIAL DISTRICT, LOCATED ON
CHESTERFIELD BUSINESS PARKWAY IN A SUBDIVISION
KNOWN AS “CHESTERFIELD BUSINESS PARK” **(FIRST
AND SECOND READINGS – PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2309. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2309 was read for the first time.

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2309. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2309 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2309, with the following results: Ayes – Durrell, Brown, Hurt, Geiger, Flachsbart, Streeter, Fults and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2309 approved, passed it and it became **ORDINANCE NO. 2126.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 8:15 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk