



RECORD OF PROCEEDING

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

SEPTEMBER 19, 2012

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

Mayor Bruce Geiger 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 Bruce Geiger
Councilmember Barry Flachsbart
Councilmember Matt Segal
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Randy Logan
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

Councilmember Mike Casey

PRESENTATIONS

Mayor Geiger presented a proclamation to Mrs. Adelaida Peterson, who resides in Chesterfield, for her achievement in earning the titles of “2012 Mrs. Chesterfield” on July 27, 2012; and on August 31, 2012, Mrs. Peterson was crowned the title of “Mrs. Missouri International 2013.” Mrs. Peterson will next compete for the title of “2013 Mrs.

International.” Mayor Geiger recognized Mrs. Peterson’s husband and children in attendance.

Mayor Geiger recognized Mrs. Darcy Capstick, Co-Chairperson of the Citizens Committee for the Environment (CCE) and Mr. Jeff Chapple, member of CCE. Mrs. Capstick recognized various members of CCE, in attendance and she and Mr. Chapple presented National Wildlife Federation Habitat Garden Certifications to: Cadette Girl Scout Troop #2534 for their native flora at the Eberwein Park Butterfly Garden; Chesterfield Professional Park for sustaining sustainable landscape; Neil and Erica Rose for winning the 2011 Native Landscape Challenge Makeover; and Chesterfield Elementary School for their habitat garden.

APPROVAL OF MINUTES

The minutes of the September 5, 2012 Public Hearing on the 2012 Property Tax Rate and the September 5, 2012 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Grier, to approve the Public Hearing and City Council meeting minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Geiger announced that the next meeting of City Council has been scheduled for Wednesday, October 3, at 7 p.m. [NOTE: Subsequently, this meeting was cancelled.]

COMMUNICATIONS AND PETITIONS

Mr. Mike Doster, attorney for the petitioner, stated he was available to answer questions on Bill No. 2902 [P.Z. 02-2012, Mercy Health System (Chesterfield Village, SE Quadrant)] and Bill No. 2903 [P.Z. 07-2012, Chesterfield Village NW Quadrant (RGA Insurance Co.)].

Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, stated he was available to answer questions on Bill No. 2902 [P.Z. 02-2012, Mercy Health System (Chesterfield Village, SE Quadrant)] and Bill No. 2903 [P.Z. 07-2012, Chesterfield Village NW Quadrant (RGA Insurance Co.)].

Mr. Steve Boriss, who resides at 50 River Bend Drive in Chesterfield, spoke about the formation of the “Freedom from Un-American Speed Enforcement (FUSE)” group. Mr. Boriss provided a handout to Mayor Geiger and the Councilmembers about FUSE.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Matt Segal, Chairperson of the Finance and Administration Committee, reported that Bill No. 2900 will be considered for SECOND READING approval and adoption under the “Legislation” portion of the Agenda

Councilmember Segal announced that the next meeting of this Committee has been scheduled for Monday, September 24, at 5:30 p.m.

Planning and Public Works Committee

Councilmember Randy Logan, Chairperson of the Planning and Public Works Committee, reported that Bill No. 2901(Authorizes Mayor to execute the Ladue Road Exchange and Project Transfer Agreement) will be considered for SECOND READING approval and adoption under the “Legislation” portion of the Agenda.

Councilmember Logan next reported that Bill No. 2902 [P.Z. 02-2012, Mercy Health System (Chesterfield Village, SE Quadrant)], Bill No. 2905 [Authorizes Mayor to sign an AGREEMENT with Mercy Health System regarding capital street improvements related to P.Z. 02-2012 (see above) and provides for the funding thereof], and Bill No. 2903 [P.Z. 07-2012, Chesterfield Village NW Quadrant (RGA Insurance Co.)] will be considered for SECOND READING approval and adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Logan next reported that Bill No. 2904 [Establishes New Speed Limits on Clarkson/Olive (Highway 340)] will be considered for SECOND READING approval and adoption under the “Legislation” portion of the Agenda.

Councilmember Logan next reported that Bill No. 2906 [Eliminates Public Works Citizens Advisory Group] will be read for the first time under the “Legislation” portion of the Agenda.

Councilmember Logan next reported that Bill No. 2907 (Approves Extended Hours of Operation for Thanksgiving Holiday) will be read for the first time under the “Legislation – Planning Commission” portion of the Agenda.

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

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that with funding provided by Community Development Block Grant (CDBG) funds, Staff recently sought bids for the construction/installation of handicapped-accessible ramps, at various locations around the

City, linking sidewalks with adjacent streets. Based upon a review of information provided by Principal Engineer Susan Mueller, Mr. Herring joined with her in recommending award of a contract to the lowest bidder, R.V. Wagner, Inc., in an amount-not-to-exceed \$41,900, which is the total amount budgeted. Councilmember Flachsbart made a motion, seconded by Councilmember Segal, to award a contract to R.V. Wagner, Inc., in an amount-not-to-exceed \$41,900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Nation, Chairperson of the Parks and Recreation Committee, announced that the next meeting of this Committee has been scheduled for Thursday, September 27, at 5:30 p.m.

LEGISLATION

BILL NO. 2900 FIXES THE RATE OF TAXATION FOR THE YEAR 2012 AND LEVYING A TAX ON ALL REAL AND PERSONAL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD, MISSOURI, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE GENERAL OBLIGATION BOND ISSUE FOR PARKS; EFFECTIVE WHEN **(SECOND READING; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Segal made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2900 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2900 with the following results: Ayes – Nation, Grissom, Logan, Fults, Segal, Flachsbart and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2900 approved, passed it and it became **ORDINANCE NO. 2718**.

BILL NO. 2901 AUTHORIZES THE MAYOR OF THE CITY OF CHESTERFIELD, MISSOURI TO EXECUTE THE LADUE ROAD EXCHANGE AND PROJECT TRANSFER AGREEMENT. **(SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2901. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2901 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2901 with the following results: Ayes – Logan, Flachsbart, Grier, Grissom, Nation, Fults and Segal.

Nays – None. Whereupon Mayor Geiger declared Bill No. 2901 approved, passed it and it became **ORDINANCE NO. 2719.**

BILL NO. 2904 AMENDS ORDINANCE NUMBER 35, SCHEDULE II OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY ESTABLISHING SPEED LIMITS ON STATE HIGHWAY, CLARKSON ROAD AND OLIVE BOULEVARD (**SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Logan made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2904. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2904 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2904 with the following results: Ayes – Logan, Nation, Grier, Segal, Flachsbart and Fults. Nays – Grissom. Whereupon Mayor Geiger declared Bill No. 2904 approved, passed it and it became **ORDINANCE NO. 2720.**

BILL NO. 2906 REPEALS ORDINANCES 1824 AND 1888 OF THE CITY OF CHESTERFIELD FOR THE PURPOSE OF DISSOLVING THE PUBLIC WORKS CITIZENS ADVISORY GROUP (**FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Logan made a motion, seconded by Councilmember Grier, for the first reading of Bill No. 2906. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2906 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2902 REPEALS ST. LOUIS COUNTY ORDINANCE 11,920 AND CITY OF CHESTERFIELD ORDINANCES 1722 AND 1823 TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN AREA COVERED BY TWO “C-8” PLANNED COMMERCIAL DISTRICTS AND TWO “PC” PLANNED COMMERCIAL DISTRICTS TO A SINGLE “UC” URBAN CORE DISTRICT FOR A 40.040 ACRE AREA OF LAND LOCATED NORTH OF CHESTERFIELD PARKWAY AND EAST OF ELBRIDGE PAYNE RD. (P.Z. 02-2012 MERCY HEALTH SYSTEMS {CHESTERFIELD VILLAGE SE QUADRANT} 19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171 AND 18S220061) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Logan made a motion, seconded by Councilmember Grier, for the second reading of Bill No. 2902. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2902 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2902 with the following results: Ayes – Grissom, Grier, Fults, Nation, Segal, Flachsbart and Logan. Nays – None. Whereupon Mayor Geiger declared Bill No. 2902 approved, passed it and it became **ORDINANCE NO. 2721.**

BILL NO. 2905 AUTHORIZES THE MAYOR OF THE CITY OF CHESTERFIELD, MISSOURI TO EXECUTE AN AGREEMENT PROVIDING FOR THE FUNDING AND CONSTRUCTION OF CERTAIN HIGHWAY AND TRAFFIC IMPROVEMENTS WITHIN THE CITY OF CHESTERFIELD RELATED TO IMPROVMENTS TO SOUTH OUTER FORTY ROAD **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2905. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2905 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2905 with the following results: Ayes – Fults, Grier, Grissom, Logan, Segal, Flachsbart and Nation. Nays – None. Whereupon Mayor Geiger declared Bill No. 2905 approved, passed it and it became **ORDINANCE NO. 2722.**

BILL NO. 2903 REPEALS CITY OF CHESTERFIELD ORDINANCES 1358 AND 2685 AND ST. LOUIS COUNTY ORDINANCES 10,842 AND 9,476 FOR A NEW AND CONSOLIDATED ORDINANCE FOR A “C-8” PLANNED COMMERCIAL DISTRICT FOR A 75.0 ACRE AREA OF LAND LOCATED WITHIN THE NORTHWEST QUADRANT OF THE I-64 AND OLIVE BOULEVARD INTERCHANGE (P.Z. 07-2012 CHESTERFIELD VILLAGE NW QUADRANT {RGA INSURANCE CO.} 18S430237, 17S110147, 18S430260, 18S440148, 18S420085, 18S521098, 18S540149, 18S540150 AND 18S540138) **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2903. A voice vote was taken with an affirmative result (6-0-1 – Councilmember Grier “abstained”) and the motion was declared passed. Bill No. 2903 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2903 with the following results: Ayes – Logan, Segal, Nation, Fults, Grissom and Flachsbart. Nays – None. Abstentions – Grier. Whereupon Mayor Geiger declared Bill No. 2903 approved, passed it and it became **ORDINANCE NO. 2723.**

BILL NO. 2907 AMENDS THE FOLLOWING PLANNED DISTRICT ORDINANCES FOR DEVELOPMENTS WITH EXISTING RESTRICTIONS ON HOURS OF OPERATION TO PERMIT EXTENDED HOLIDAY HOURS OF OPERATION FOR RETAIL ESTABLISHMENTS OVER THE THANKSGIVING HOLIDAY. 84 LUMBER (ORDINANCE 2575), TOWNE CENTER (ORDINANCE 1454), CHESTERFIELD COMMONS (ORDINANCE 2081), CHESTERFIELD COMMONS EAST (ORDINANCE 2128), CHESTERFIELD COMMONS FOUR (ORDINANCE 2371) CHESTERFIELD COMMONS NORTH (ORDINANCE 2081), CHESTERFIELD COMMONS WEST (ORDINANCE 2156), CHESTERFIELD COMMONS WEST-TECH PARK (ORDINANCE 1898), CHESTERFIELD OAKS (ORDINANCE 2643), CHESTERFIELD OUTLETS (ORDINANCE 2682), CHESTERFIELD RETAIL (ORDINANCE 1884), CLOCK TOWER PLAZA (ORDINANCE 2442), FOUR SEASONS PLAZA (ORDINANCE 2492), FOUR SEASONS PLAZA WEST (ORDINANCE 2637), CLARKSON CENTER (ORDINANCE 2547), STALLONE’S FORMAL WEAR (ORDINANCE 2558), WALGREENS CHESTERFIELD (ORDINANCE 2495), EDISON CROSSING (ORDINANCE 2448) [P.Z. 08-2012 CITY OF CHESTERFIELD-EXTENDED HOURS OF OPERATION FOR THANKSGIVING HOLIDAY] **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Logan made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2907. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2907 was read for the first time. Councilmember Flachsbart raised a Point of Order regarding Bill No. 2907 listing “Ordinance 2081” twice: one time for Chesterfield Commons and a second time for Chesterfield Commons North. Mayor Geiger directed City Administrator Mike Herring to ask Staff to clarify this bill title.

ADJOURNMENT

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:54 p.m.

Mayor Bruce Geiger

ATTEST:

Judith A. Naggia, City Clerk