



RECORD OF PROCEEDING

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

September 18, 2002

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

The Pledge of Allegiance was led by Boy Scout Troop #677 from Ellisville United Methodist Church: Dan McClusky and Drew Auer. Also in attendance was Troop Leader Ed Hugill.

Mayor Nations led those in attendance in 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

APPROVAL OF MINUTES

The minutes of the September 4, 2002, 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.

INTRODUCTORY REMARKS

Mayor Nations reported that the Missouri Municipal League held its conference in St. Louis, September 9 - 11. At this conference the City of Chesterfield's Planning Department received the "Excellence of Planning" award for posting detailed information about each planning project on the City's website. Councilmembers Streeter and Flachsbart congratulated the Planning Department for receiving this award, but also emphasized that the MIS Citizens Committee deserved recognition for their participation and foresight in creating the City's website many years ago.

Mayor Nations next noted that at this conference, City Administrator Mike Herring was elected to the Missouri Municipal League's Board of Directors for a two year term.

Mayor Nations next reported that the St. Louis County Municipal League would hold its monthly meeting at the Chesterfield City Hall on Thursday, September 26.

Mayor Nations next announced that from 1 - 4 p.m., on Saturday, September 28 Westfield's Chesterfield Mall Shopping Center would hold a Town Hall meeting.

COMMUNICATIONS AND PETITIONS

Jerry Duepner, 16640 Chesterfield Grove, represented The Jones Company and expressed support for putting a hold on the Monarch Trace project until certain issues could be resolved.

APPOINTMENTS

Mayor Nations placed the names of John Walters for re-appointment and Philip Scissors for appointment to the Police Personnel Board. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve Mr. Walters' re-appointment and Mr. Scissors' appointment to the Police Personnel Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2096 (accepts streets in Wildhorse Springs Subdivision) and Bill No 2097 (accepts the renewal of a contract with Ameren UE), would be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to refer Bill No. 2098, which approves a change of speed limit on Woods Mill Road, to the Public Works/Parks Committee for further review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Wednesday, September 25 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2094/Ordinance No. 1871 will require a vote for reconsideration, due to the change in signage from 6 ft. x 8 ft. to 8 ft. x 6 ft. to comply with the sign ordinance. Councilmember Streeter made a motion, seconded by Councilmember Casey, to reconsider this modification to the ordinance at the October 7 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Bill No. 2095 (P.Z. 08-2002 (Solon Gershman - Dairy Queen), Bill No.2100 (approves the record plat, et. al. at Ladue Bluffs Plat One), Bill No. 2101 (approves the record plat, et. al. at Ladue Bluffs Plat Two), Bill No. 2102 (approves a boundary adjustment plat for Chesterfield Business Park) and Bill No. 2103 (approves a vacation of right-of-way at RHL Boulevard) will be considered for adoption under the "Legislation - Planning Commission" portion of the agenda.

Councilmember Hurt announced that approval for the site development plan for Monarch Trace has been held until the October 7 City Council meeting.

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to hold Bill No. 2099 (P.Z. 38-2001, Davis Land Company L.L.C.) until the October 7 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, October 10 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mary Brown, Chairperson of the Public Health and Safety Committee, reported that the next meeting of this Committee has been scheduled for Monday, September 30 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Director of Public Works/City Engineer Mike Geisel recommends an award of a contract to Earl Nation Inc., in an amount not to exceed \$23,235.00, for the purchase/installation of two (2) vehicle lifts, at the Public Works Maintenance Facility. The FY 2002 Budget contains \$24,000 for this purchase. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract to Earl Nation Inc., in an amount not to exceed \$23,235.00, for the

purchase/installation of two (2) vehicle lifts. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel is recommending that the original contract with Marschuetz Construction, totaling \$816,500, be increased by \$22,592.44 bringing the new total authorization to \$839,092.44. This request is due to the fact that the contractor was able to outperform expectations and completed additional work within the project areas. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to modify the original contract with Marschuetz Construction, totaling \$816,500, to be increased by \$22,592.44 bringing the new total authorization to \$839,092.44. 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. 2096 PERTAINS TO THE ACCEPTANCE OF A PUBLIC STREET WITHIN WILDHORSE SPRINGS SUBDIVISION, PLAT 2, IN THE CITY OF CHESTERFIELD (**SECOND READING - PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No.2096. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2096 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2096, with the following results: Ayes - Streeter, Geiger, Fults, Brown, Hurt, Casey, Durrell and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No.2096 approved, passed it and it became **ORDINANCE NO. 1872.**

BILL NO. 2097 PROVIDES FOR THE LIGHTING BY ELECTRICITY OF THE STREETS, AVENUES, ALLEYS, AND OTHER PUBLIC PLACES IN THE CITY OF CHESTERFIELD, IN THE STATE OF MISSOURI, AND OTHER ELECTRIC SERVICE REQUIREMENTS OF THE CITY, BY CONTRACT, SETTING FORTH THE TERMS OF THE PROPOSED CONTRACT THEREFORE BETWEEN THE CITY AND UNION ELECTRIC COMPANY (D/B/A AMEREN UE, ITS SUCCESSORS AND ASSIGNS), AND PERMITTING SAID COMPANY TO ERECT, OPERATE, AND MAINTAIN POLES, LINES, WIRES, CABLES, TRANSFORMERS, AND OTHER APPLIANCES IN THE STREETS AND ALL OTHER PUBLIC PLACES,

NECESSARY FOR AND APPROPRIATE TO THE
PERFORMANCE OF SAID CONTRACT AS DESCRIBED
HEREIN (**SECOND READING – PUBLIC
WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2097. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to amend Section 3 by adding the following to the last sentence of that section: "for service to the now existing or hereafter extended service being delivered to the customer." A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2097 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No. 2097, with the following results: Ayes - Hurt, Geiger, Streeter, Fults, Casey, Durrell, Brown and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2097 approved, passed it and it became **ORDINANCE NO. 1873.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2095	AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C-2” SHOPPING DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A .25 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD EAST OF WOODSMILL ROAD (P.Z. 08-2002, SOLON GERSHMAN, INC.) (SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL; CITY COUNCIL APPROVED VARIOUS AMENDMENTS)
----------------------	---

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2095. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2095 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2095, with the following results: Ayes - Casey, Fults, Geiger, Brown, Hurt, Streeter, Durrell and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2095 approved, passed it and it became **ORDINANCE NO. 1874.**

BILL NO. 2100	PROVIDES FOR THE APPROVAL OF THE 26.37 ACRE RECORD PLAT, TRUST ENDENTURE, WARRANTY DEED AND ESCROW AGREEMENT FOR VILLAS AT LADUE BLUFFS SUBDIVISION PLAT ONE, FORMERLY KNOWN AS HOWARD BEND TRACT, AN “R-3” PLANNED ENVIRONMENT RESIDENTIAL DISTRICT LOCATED NEAR THE INTERECTION OF OLIVE
----------------------	--

**BOULEVARD AND LADUE ROAD (FIRST AND
SECOND READINGS – PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2100. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2100 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2100. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2100 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2100, with the following results: Ayes - Hurt, Streeter, Brown, Fults, Geiger, Casey, Flachsbart and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2100 approved, passed it and it became **ORDINANCE NO. 1875.**

BILL NO. 2101	PROVIDES FOR THE APPROVAL OF THE 12.83 ACRE RECORD PLAT, TRUST ENDENTURE, WARRANTY DEED AND ESCROW AGREEMENT FOR VILLAS AT LADUE BLUFFS SUBDIVISION PLAT TWO, FORMERLY KNOWN AS HOWARD BEND TRACT, AN “R-3” PLANNED ENVIRONMENT RESIDENTIAL DISTRICT LOCATED NEAR THE INTERECTION OF OLIVE BOULEVARD AND LADUE ROAD (FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)
----------------------	--

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2101. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2101 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2101. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2101 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2101, with the following results: Ayes -Geiger, Fults, Hurt, Brown, Streeter, Durrell, Flachsbart and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2101 approved, passed it and it became **ORDINANCE NO. 1876.**

BILL NO. 2102	APPROVES THE BOUNDARY ADJUSTMENT PLAT OF CONDOMINIUM PARCEL AND OUT PARCEL B OF CHESTERFIELD BUSINESS PARK, OR MORE PARTICULARLY DESCRIBED AS A TRACT OF LAND BEING PART OF TOWNSHIP 45 NORTH RANGE 3 AND 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI (FIRST AND SECOND READINGS –
----------------------	--

**DEPARTMENTS OF PLANNING AND PUBLIC
WORKS RECOMMEND APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2102. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2102 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2102. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2102 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2102, with the following results: Ayes - Casey, Hurt, Geiger, Brown, Fults, Durrell, Flachsbart and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2102 approved, passed it and it became **ORDINANCE NO. 1877.**

BILL NO. 2103

VACATES A PORTION OF THE 40 FOOT RIGHT-OF-WAY OF RHL BOULEVARD AND LOT 9, 10 & 11 OF CHESTERFIELD VALLEY CROSSING SUBDIVISION, EXCEPT FROM ANY REQUEST FOR VACATION OF RIGHTS OR EASEMENTS OWNED BY THE METROPOLITAN ST. LOUIS SEWER DISTRICT IN THE PORTION OF THE RIGHT-OF-WAY DEPICTED ON THE EXHIBIT
“A” LOCATED IN U.S. SURVEY 125, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI (**FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2103. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2103 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2103. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2103 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2103, with the following results: Ayes - Fults, Casey, Hurt, Flachsbart, Durrell, Geiger, Brown and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2103 approved, passed it and it became **ORDINANCE NO. 1878.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:35 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk