



RECORD OF PROCEEDING

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

September 18, 2000

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember John Nations
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Charles Scheidt

ABSENT

Councilmember Barry Flachsbart

Mayor Nancy Greenwood led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the August 30, 2000, City Council meeting were submitted for approval. Councilmember Streeter made a motion to approve the City Council minutes. Councilmember Durrell seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood announced that architects Lauren Struttman and Dick Bush have recently received National Historic Register designation for the property they restored in "Old Chesterfield." Councilmember Jane Durrell also noted that there are four other properties in the City which hold this designation, as well.

COMMUNICATIONS AND PETITIONS

Terry and Bill Wunderlich, represented the Historical Commission and presented the Mayor with a new book created by the Historical Commission on cemeteries in the City. The book sells for \$10 and is available at the Government Center.

Ron Kadane, Clayton Engineering, represented the St. Louis Family Church and supported Bill No. 1873, P. Z. 11-2000, St. Louis Family Church.

Barry Simon, 1215 Fern Ridge Parkway, supported Bill No. 1874, P.Z. 28-2000, Appaloosa Way.

Allan Sheppard, who resides at 826 Judson Manor Drive, opposed Bill Nos. 1867 and 1868, P. Z. 9-2000, and P. Z. 10-2000, Mill Valley Estates, due to the construction being built on a flood plain. Councilmember Hurt stated that these two bills will not be voted on at this meeting due to inconsistencies within the legislation.

Steve Quigley, Clayton Engineering, supported Bill No. 1875, record plat for Garden View Care Center.

Lee Wall, who resides at 14759 Plumas, represented Conway Forest Subdivision and opposed Bill No. 1858, rezoning for Solomon II, due to excessive traffic already on Conway Road and requested that a comprehensive traffic study be undertaken.

Bob Boland, who resides at 27 Chesterton Lane, supported Bill No. 1858, rezoning for Solomon II and Bill No. 1864, boundary adjustment for Highland on Conway.

Melanie Trimmer, who resides at 1305 Conway Oaks, opposed Bill No. 1858, Solomon II.

Laura Lucking, who resides at 15021 Conway Road, represented Chesterfield Homeowners, Inc. and opposed Bill No. 1858, rezoning for Solomon II. She further presented suggestions on acceptable rezoning as it relates to square footage of a project.

APPOINTMENTS

Mayor Greenwood nominated Mr. Maurice (Bud) Hirsch as a member of the Architectural Review Board, representing the Arts Commission. Councilmember Brown made a motion, seconded by Councilmember Casey, to approve the appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Hirsch is filling an unexpired term, which would run until May 15, 2001.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Mike Casey, Vice Chairperson for Public Health and Safety Committee, reported, in the absence of Chairperson Barry Flachsbart, that the City had granted Harpo's a temporary license with a sixty-day review period because of previous complaints. He noted that Harpo's had no significant problems or complaints during this period and the Committee recommends City Council approve a liquor license for Harpo's. Councilmember Casey made a motion, seconded by Councilmember Scheidt, to issue a liquor license to Harpo's to expire on June 30, 2001. A voice vote was taken with an affirmative result (Councilmember Brown voted "No") and the motion was declared passed.

Councilmember Casey next reported that the Community Contact Bureau had been funded by a Federal grant, which was discontinued at the end of June 2000. Since alternative funding was not available, in the absence of the outside funding, the Committee recommended that the City of Chesterfield continue to fund the Bureau until the new Government Center is completed. The Chesterfield Mall Association has offered to assist with the funding in the amount of \$10,000 for the remainder of 2000 and \$20,000 during 2001. This is approximately one-third of the operating budget for the Contact Bureau. Councilmember Casey made a motion, seconded by Councilmember Scheidt, to continue service provided by the Community Contact Bureau, to accept the funding offered by the Mall and to fund budget shortfalls, if any, from the Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Bill No. 1857, which approves the reimbursement agreement with GHH for off-site road improvements to Edison Avenue and the intersection of Edison Avenue and Long Road, will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Streeter next proposed the City Council meeting schedule for 2001, which is recommended by the Committee. Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve the 2001 City Council meeting schedule.

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

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

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported Bill No. 1858 (re-zoning for Solomon Consulting), Bill No. 1864 (boundary adjustment for Highland on Conway), Bill No. 1877 (approval of right-of-way application procedures and fees), Bill No. 1875 (record plat for Garden View Care Center), Bill No. 1876 (boundary adjustment plat for Lou Fusz), will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt reported that Bill No. 1866 (P.Z. 19-2000, Bluestone Commons, Inc.), Bill No. 1870 (P.Z. 42-1999, GHH Investments), Bill No. 1873 (P.Z. 11-2000, St. Louis Family Church), Bill No. 1874 (P.Z. 28-2000, Appaloosa Way) and Bill No. 1871 (P.Z. 36-1999, City of Chesterfield performance standards for office development), will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Nations to send Bill No. 1867 (P.Z. 09-2000, re-zoning for Mill Valley Estates) and Bill No. 1868 and 1869 (P.Z. 10-2000, Mill Valley Estates) to the Planning and Zoning Committee for further review due to discrepancies in the legislation.

Councilmember Hurt made a motion to receive and file the Conditional Use Permit (CUP) amendment for Montessori Children’s House. Councilmember Brown seconded the motion. 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, September 21 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Mary Brown, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1861 (authorizes the City Administrator to execute a reimbursement agreement with MoDOT regarding Braefield Stormwater Improvement Project), Bill No. 1862 (authorizes the City Administrator to execute a settlement agreement with St. Charles Water Supply District) and Bill No. 1863 (authorizes the City Administrator to execute a cooperative agreement with Chesterfield Fire Protection District for a mutual reduction of fees), will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Brown next reported that, after a thorough re-evaluation of the roundabout, located at Schoettler Valley Drive and Highcroft, and a meeting with the Trustees of Bridle Creek, who expressed concern with pedestrian safety in the crosswalks, the Committee recommends that the roundabout be removed and the intersection put back to its original four-way stop condition. Councilmember Brown made a motion, seconded by Councilmember Streeter, to eliminate the roundabout at Schoettler Valley Drive and Highcroft and put the intersection back to its original four-way stop condition. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt stated for the record that he supported the roundabout and its positive effect on the flow of traffic, but objected to it being off center. By being centered, he believed that the roundabout would have been even more effective with the flow of traffic.

Councilmember Brown next reported the necessity of obtaining a hold harmless agreement from a property owner prior to the owner installing a sprinkler system within the City's right-of-way and the difficulty associated with trying to implement the current policy. She further stated that St. Louis County had suggested that the City require some sort of approval from the City of Chesterfield prior to them issuing that is permit for the back-flow preventer, which is a device that is required on all sprinkler systems. Although a permit is already required for work in the right-of-way, there is great difficulty gaining compliance. The program would require a no cost permit from the City prior to a sprinkler installation company obtaining a permit from St. Louis County. In order to obtain the permit from the City, the property owner would have to execute the hold harmless agreement already required by City policy. Councilmember Brown made a motion, seconded by Councilmember Scheidt, to implement a program that would require a no cost permit from the City of Chesterfield prior to the installation of sprinkler systems within the City's right-of-way. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for Wednesday, September 27 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

Acting City Administrator Mike Geisel reported that bids were recently sought for foundation waterproofing for the proposed Government Center. Based upon review of the bids received by the Construction Manager, S. M. Wilson, Mr. Geisel and Mr. Herring recommended the award of a contract to the low bidder, Scally Waterproofing, in an amount not to exceed \$18205. Mr. Geisel noted that this bid is approximately \$16,000 below the construction manager's original budget estimate for this phase of work. Councilmember Casey made a motion, seconded by Councilmember Streeter, to award the contract to the low bidder, Scally Waterproofing, in an amount not to exceed \$18,205, for waterproofing the proposed Government Center. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel next reported that bids were recently sought for light gauge steel roof trusses to be used in constructing the proposed Government Center. Based upon review of these bids by the Construction Manager, S. M. Wilson, Mr. Geisel and City Administrator Mike Herring recommend the award of a contract to the low bidder, Rehkemper and Sons, in an amount not to exceed \$54,773. It was noted that this bid is approximately \$5,000 over the construction manager's original estimate for this phase of the work. Mr. Geisel assured the Mayor and City Council that sufficient funds exist within the construction account to cover this overage, based upon substantial savings accrued from earlier bid packages. Councilmember Casey made a motion, seconded by Councilmember Streeter, to award the contract to Rehkemper and Sons, in an amount not to exceed \$54,773, for light, gauge steel roof trusses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel next reported that bids were recently sought for a single-ply, rubber membrane roof system for the proposed Government Center. Based upon review of the bids received by the Construction Manager, S. M. Wilson, Mr. Geisel and Mr. Herring recommend the award of a contract to the low bidder, Lakeside Roofing, in an amount not to exceed \$56,584. Mr. Geisel noted that this bid is approximately \$14,000 above the construction manager's original budget estimate for this phase of work. However, as noted, again, by Mr. Geisel, sufficient funds exist within the construction account, based upon substantial savings previously realized in earlier bid packages. Councilmember Casey made a motion, seconded by Councilmember Brown, to award of a contract to the low bidder, Lakeside Roofing, in an amount not to exceed \$56,584, for the rubber membrane roof system. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel next reported that he is recommending authorization to redistribute work among the various contractors and contracts previously approved by City Council with **NO INCREASE** to the actual amount already authorized by City Council for this construction season. Mr. Geisel is recommending this authorization in order to complete the most work in the most efficient manner. He notes that he will be increasing the amount of certain contracts, while decreasing the amount of other contracts. Again, it should be noted that this action would require no additional funding by City Council. Mr. Herring supported Mr. Geisel's recommendation. Councilmember Casey made a motion, seconded by Councilmember Streeter, to authorize Director of Public Works/City Engineer Mike Geisel to work among the various contractors and contracts with no increase in funding to complete the most work in the most efficient manner for the remainder of the construction season. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Geisel next reported that the City of Chesterfield received a request for a liquor license from Wild Horse Grill, located at 101 Long Road, to sell all kinds of liquor by the drink for consumption on the premises and Sunday sales. The application has been reviewed and approved by the Police and Planning Departments. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve issuance of the liquor

license. 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. 1857 AUTHORIZES THE EXECUTION OF A REIMBURSEMENT AGREEMENT AND OTHER RELATED ACTIONS IN CONNECTION WITH THE REDEVELOPMENT OF THE CHESTERFIELD VALLEY REDEVELOPMENT AREA (**SECOND READING** – FINANCE AND ADMINISTRATION COMMITTEE)

Councilmember Streeter made a motion, seconded by Councilmember Brown, for a second reading of Bill No.1857. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1857 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1857, with the following results: Ayes – Brown, Scheidt, Nations, Durrell, Hurt, Streeter and Casey. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1857 approved, passed it and it became **ORDINANCE NO.1668.**

BILL NO. 1861 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT, REGARDING THE DESIGN AND CONSTRUCTION OF A PUBLIC IMPROVEMENT DESIGNATED AS ROUTE 340, ST. LOUIS COUNTY, JOB NO. 6S1457 (BRAEFIELD STORMWATER IMPROVEMENT (**FIRST READING** – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1861. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1861 was read for the first time.

BILL NO. 1862 APPROVES A SETTLEMENT AGREEMENT WITH THE ST. CHARLES WATER SUPPLY DISTRICT REGARDING THE CONDEMNATION OF RIGHTS OF WAY ALONG THE PROPERTY OWNED BY THE CITY OF CHESTERFIELD IN THE CHESTERFIELD VALLEY (**FIRST READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Scheidt, for the first reading of Bill No. 1862. It was consensus of City Council that a transfer of \$18,000 from Contingency Fund be made to cover the cost involved. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1862 was read for the first time.

BILL NO. 1863 APPROVES A COOPERATIVE AGREEMENT BETWEEN THE CITY OF CHESTERFIELD AND THE CHESTERFIELD FIRE PROTECTION DISTRICT FOR THE MUTUAL REDUCTION OF CERTAIN COMMON EXPENSES AND FEES CHARGED EACH ENTITY **(FIRST READING - PUBLIC WORKS/PARKS COMMITTEE)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1863. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1863 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1858 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “NU” NON-URBAN DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR A 6.048 ACRE TRACT OF LAND LOCATED NORTH OF NORTH OUTER FORTY ROAD, EAST OF THE INTERSECTION OF CHESTERFIELD PARKWAY EAST, SOUTH OF CONWAY ROAD **(SECOND READING - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1858. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1858 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Durrell, to amend Bill No. 1858, Attachment A, Page 10, by deleting the language in Section 5 (d) and adding “The layout of the building and the detention basin must meet the requirement that the first finished floor of the building (exclusive of the basement) shall be located a minimum of ten (10) feet (horizontally) and two (2) feet vertically from the high water location in each detention basin.” A roll call vote was taken for passage of the amendment with the following results: Ayes – Streeter, Nations, Scheidt, Brown, Casey, Durrell, and Hurt. Nays - None. The amendment was declared passed. A motion was then made by Councilmember Nations, seconded by Councilmember Streeter, to amend Attachment A, Page 2, Section 2(b), to strike “exclusive of a 35,000 gross square foot basement storage” and the last sentence “The basement shall not be used for office space.” In addition, he added Section 2(d) for “floor area ratio (FAR) to be changed not to exceed .55.” Much discussion ensued. Councilmember Hurt called for the question. A roll call vote was taken for passage of the amendment with the following results: Ayes – Streeter and

Nations. Nays – Scheidt, Brown, Casey, Durrell and Hurt. The motion failed. At the request of City Attorney Doug Beach, Councilmember Hurt made a motion, seconded by Councilmember Durrell, to amend Attachment A, Page 2, Section 2(b) to read that “the gross floor area constructed for the building exclusive of the 35,000 square foot basement shall not exceed 140,000 square feet. The 35,000 square foot basement shall be limited for uses associated with and ancillary to the business operations of one or more building tenants, including storage, support services, such as mail room, training, and/or conference room data and computer operations and tenant vending and cafeteria service. The square footage constructed shall be based upon the development’s ability to comply with the parking and stormwater regulations of the City of Chesterfield and the basement area shall not be used for office space.” A roll call vote was taken with the following results – Ayes – Streeter, Nations, Scheidt, Brown, Casey, Durrell, and Hurt. Nays – None. The motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 1858 with the following results: Ayes – Hurt, Durrell, Casey, Brown and Scheidt. Nays – Streeter and Nations. Whereupon Mayor Greenwood declared Bill No. 1858 approved, passed it and it became **ORDINANCE NO. 1669**.

BILL NO. 1864 APPROVES A BOUNDARY ADJUSTMENT FOR A TRACT OF LAND BEING PART OF ORIGINAL LOT 2 AND ALL OF LOT 1, AS RECORDED IN PLAT BOOK 83, PAGE 23, AND PART OF LOTS 2 AND 11 OF HIGHLAND ON CONWAY PLAT NO. 1, AS RECORDED IN PLAT BOOK 301, PAGE 53 LOCATED IN U.S. SURVEY 366, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI (**FIRST AND SECOND READINGS - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1864. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1864 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1864. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1864 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1864, as amended, with the following results: Ayes – Casey, Scheidt, Nations, Hurt, Streeter, Brown, and Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1864 approved, passed it and it became **ORDINANCE NO. 1670**.

Councilmember Nations made a motion, seconded by Councilmember Streeter, that City Council direct Staff to move without delay to rezone the land described in Bill No. 1864 as residential. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 1866 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1627 FOR A NEW AMENDED ORDINANCE RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT FOR A TRACT OF LAND LOCATED ON NORTH AND SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF THE INTERSECTION OF BOONE'S CROSSING STREET EXTENSION (P.Z. 19-2000, ORIGINALLY 24-1997, THE CHESTERFIELD DEVELOPMENT, L.L.C./CHESTERFIELD COMMONS) (**FIRST READING** - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1866. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Brown made a motion, seconded by Council Scheidt, to amend Attachment A Section 1 C (4) to read "The canopy lighting may not exceed 30 foot-candles. Additionally, the facility would use pole mounted flat lens cutoff optics lighting fixtures for parking and surrounding areas. The canopy would use fully recessed flat crismatic lens fixtures, no drop lenses. The canopy must match the building." A voice vote was taken with a unanimous affirmative result and the amendment was declared passed. Bill No. 1866 was read for the first time.

BILL NO. 1870 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "M-3" PLANNED INDUSTRIAL DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 2.296 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD, WEST OF LONG ROAD AND NORTH OF THE ST. LOUIS, KANSAS CITY AND COLORADO RAILROAD (P.Z. 42-1999, G.H.H. INVESTMENTS, L.L.C./TOWER CENTRE (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1870. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1870 was read for the first time.

BILL NO. 1873 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "C-8" PLANNED COMMERCIAL, "N-U" NON-URBAN, "M-3" PLANNED INDUSTRIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR A 16.17 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD, WEST OF VALLEY CENTER DRIVE AND NORTH OF EDISON AVENUE (P.Z. 11-2000, ST. LOUIS FAMILY CHURCH) (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1873. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1873 was read for the first time.

BILL NO. 1874 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "E-3 ESTATE ONE-HALF ACRE RESIDENCE DISTRICT FOR 10.9 ACRES OF LAND LOCATED NORTHWEST OF WILDHORSE CREEK ROAD AND NORTHEAST OF WOODCLIFFE DRIVE AND HI-POINT ROAD (P.Z. 28-2000, APPALOOSA WAY) (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1874. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1874 was read for the first time.

BILL NO. 1871 AMENDS SECTION 1003.140, SUBSECTION 4, ITEM 6 OF THE CHESTERFIELD ZONING ORDINANCE BY PROVIDING ADDITIONAL CRITERIA FOR THE PERFORMANCE STANDARDS OF OFFICE DEVELOPMENT (P.Z. 36-1999, CITY OF CHESTERFIELD (**FIRST READING** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1871. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1871 was read for the first time. Councilmember Hurt made a motion, seconded by Councilmember Casey, to amend Bill No. 1871 by removing the last paragraph on Page 2, under section (5) and adding a new paragraph to read "The above standards may be modified if it may be demonstrated that said modification will encourage, promote and reward good architectural and urban planning. Said modification shall require two-thirds vote (six) of the Planning Commission. Notwithstanding, the recommendation of the Planning Commission, if it may be demonstrated that a modification will encourage, promote and reward good architectural and urban planning by the vote of a majority of City Council, the Council may modify the standards contained in this section. A roll call vote was taken to approve the amendment as follows: Ayes – Nations, Durrell, Hurt, Brown, Scheidt, Casey and Streeter. Nays – None. The amendment to Bill No. 1871 was approved.

BILL NO. 1877 AUTHORIZES THE CITY ADMINISTRATOR TO ESTABLISH INTERIM RIGHT-OF-WAY APPLICATION PROCEDURES AND FEES AND TO JOIN THE ST. LOUIS COUNTY MUNICIPAL LEAGUE RIGHTS-OF-WAY CONSORTIUM (**FIRST AND SECOND READINGS** - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1877. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1877 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No.1877. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1877 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1877, with the following results: Ayes – Brown, Durrell, Scheidt, Casey, Streeter, Nations and Hurt. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1877 approved, passed it and it became **ORDINANCE NO. 1671.**

BILL NO. 1875 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR GARDEN VIEW CARE CENTER SUBDIVISION, LOCATED ON CHESTERFIELD POINTE PARKWAY AND SOUTHWEST OF APPALACHIAN TRAIL. A TRACT OF LAND ZONED “MXD” MIXED USE DEVELOPMENT DISTRICT IN U.S. SURVEYS 415 AND 1911, TOWNSHIP 45 NORTH, RANGE 4 EAST (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1875. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1875 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1875. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1875 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1875, with the following results: Ayes – Scheidt, Durrell, Nations, Casey, Streeter, Hurt and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No.1875 approved, passed it and it became **ORDINANCE NO. 1672.**

BILL NO. 1876 APPROVES A BOUNDARY ADJUSTMENT PLAT OF LOU FUSZ IN LOT 5 OF A SUBDIVISION, MORE PARTICULARLY DESCRIBED AS A TRACT OF LAND IN U.S. SURVEY 126, TOWNSHIP 45 NORTH, RANGE 4 EAST, ST. LOUIS COUNTY, MISSOURI (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

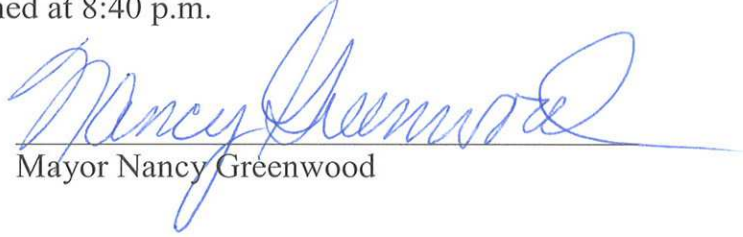
Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1876. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1876 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1876. A voice vote was taken with a unanimous affirmative result

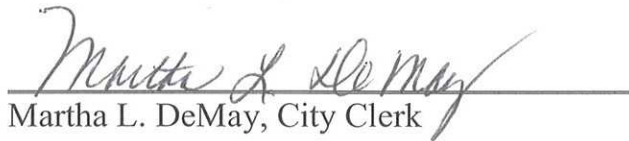
and the motion was declared passed. Bill No. 1876 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1876, with the following results: Ayes – Streeter, Nations, Casey, Durrell, Hurt, Scheidt and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1876 approved, passed it and it became **ORDINANCE NO. 1673.**

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Durrell made a motion to adjourn the meeting. Councilmember Nations seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:40 p.m.


Mayor Nancy Greenwood

ATTEST:


Martha L. DeMay, City Clerk