



RECORD OF PROCEEDING

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

September 9, 2013

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

Mayor Bob Nation 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

ABSENT

Mayor Bob Nation
Councilmember Barry Flachsbart
Councilmember Nancy Greenwood
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Bruce DeGroot
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the August 19, 2013 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Grier, 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 Nation announced that the next meeting of City Council has been scheduled for Monday, September 23, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Lawrence Koessel, who resides at 1530 Candish Lane, spoke in opposition to Bill No. 2940 (Parking of Certain Motor Vehicles in Residential Districts Prohibited).

Alfred Strobing, who is a Trustee of Royalbrook Subdivision and resides at 14925 Royalbrook Drive, spoke in support of Bill No. 2940.

Patrick White, who is a Trustee of River Bend Estates and resides 312 Ridgemeanow Drive, spoke in support of Bill No. 2940.

Mary Kessler, who represents Adams Power Shower located at 243 Crownridge Drive, spoke in opposition to Bill No. 2940.

Michael Adams, who resides at 243 Crownridge Drive, stated that Ms. Kessler covered the points he wanted to make in opposition to Bill No. 2940.

Barbara McGuinness, who is a Trustee of River Bend Estates and resides at 95 River Bend Drive, spoke in support of Bill No. 2940.

Carol Kenney, who is a Board Member of the River Bend Association and resides at 256 Ridge Trail Drive, spoke in support of Bill No. 2940.

APPOINTMENTS

Mayor Nation nominated Mr. Mark Raisher, 1506 Woodroyal West (Ward II), for re-appointment to the Finance & Administration Citizens Advisory Committee.

Councilmember Grier made a motion, seconded by Councilmember Grissom, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Raisher's three-year term will expire October 1, 2016.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, reported that Bill No. 2943 (Authorizes Levy re: Special Assessments for Chesterfield Hill N.I.D.) will be read for the first time under the "Legislation" portion of the Agenda.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for Tuesday, September 10, at 5:30 p.m.

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2939 (Authorizes the City Administrator to Execute a “License to Utilize Easement”) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Fults reported that Bill No. 2940 (Parking of Certain Motor Vehicles in Residential Districts Prohibited) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Fults reported that Bill No. 2942 (Defines/Governs Renewable Energy for Residential Properties) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Fults made a motion, seconded by Councilmember DeGroot, to accept the protest petition (P.Z. 01 and 02-2013, the Arbors at Kehrs Mill) and refer it to the Planning and Public Works Committee for a public hearing. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The public hearing will be held Thursday, September 12, at 5:30 p.m.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, September 12, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Kampai Sushi Bar, 1637 Clarkson Road, has requested a new liquor license to sell liquor by the drink and Sunday sales. Mr. Herring reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Works Division and Police Department. Councilmember Grissom made a motion, seconded by Councilmember DeGroot, to approve issuance of a new liquor license to Kampai Sushi Bar. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that, due to a change in ownership, Satchmo’s, 13375 Olive Blvd., has requested a new liquor license to sell all kinds of liquor by the drink and Sunday sales. Mr. Herring reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Planning/Public Works Division and Police Department. Councilmember Grier made a motion, seconded by Councilmember Greenwood, to approve issuance of a new liquor license to Satchmo’s. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Staff is recommending award of a contract for sidewalk/handicapped access ramp improvements, to be funded by the Community Development Block Grant (CDBG) process, which is administered by St. Louis County.

Based upon review of information provided by Public Works Director/City Engineer Jim Eckrich, Mr. Herring joined with him in recommending award of a contract to Hawkins Construction and Flatwork, in an amount not to exceed \$53,282, which equals the total allocation of CDBG funds provided to the City. Councilmember Flachsbart made a motion, seconded by Councilmember Greenwood, to approve this recommendation. 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. 2939 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A LICENSE TO UTILIZE AN EXISTING MISSOURI AMERICAN WATER COMPANY EASEMENT FOR RIGHT-OF-WAY ASSOCIATED WITH THE IMPROVEMENT OF SWINGLEY RIDGE DRIVE WEST OF CHESTERFIELD PARKWAY WEST
(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2939. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2939 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2939 with the following results: Ayes – Grissom, Hurt, Flachsbart, Fults, Grier, Casey, Greenwood and DeGroot. Nays – None. Whereupon Mayor Nation declared Bill No. 2939 approved, passed it and it became **ORDINANCE NO. 2758**.

BILL NO. 2940 REPEALS SECTION 18-107, “PARKING OF COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL DISTRICTS PROHIBITED” AND CREATES A NEW SECTION 18-107, “PARKING OF CERTAIN MOTOR VEHICLES IN RESIDENTIAL DISTRICTS PROHIBITED”, OF THE CITY OF CHESTERFIELD CITY CODE, TO ADDRESS PARKING OF CERTAIN MOTOR VEHICLES IN RESIDENTIALLY ZONED AREAS, BY DEFINING THE TYPES OF MOTOR VEHICLES REGULATED, CREATING REGULATIONS FOR THE PARKING OF CERTAIN MOTOR VEHICLES IN RESIDENTIAL AREAS AND PROVIDING ILLUSTRATIONS TO CLARIFY THE REGULATIONS **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2940. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2940 was read for the second time.

Councilmember DeGroot made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 2940 by adding an effective date of April 1, 2014 to Attachment A, Section 18-107(a).

Councilmember Casey then made a motion, seconded by Councilmember Grissom, to amend Councilmember DeGroot's proposed amendment, to reduce the "effective date", to "three months from passage/approval of this ordinance. A roll call vote was taken for passage of the motion to amend with the following results: Ayes – Casey, Fults, Hurt and Grissom. Nays – DeGroot, Flachsbart, Greenwood and Grier. Mayor Nation voted "Nay" to break the tie. Mayor Nation then declared the motion failed.

A voice vote was then taken, regarding Councilmember DeGroot's original motion, with an affirmative result (Councilmembers Grier and Casey voted No) and the motion was declared passed.

Councilmember Hurt then made a motion, seconded by Councilmember Flachsbart, to insert the phrase "licensed as trucks and" after the first word of the paragraph in Attachment A, Sections 18-107(b)(2) and (e)(2), formerly Sections 18-107(a)(2) and (d)(2). A voice vote was taken with an affirmative result (Councilmember Grier voted No) and the motion was declared passed.

A roll call vote was taken for the passage and approval of Bill No. 2940 with the following results: Ayes – Fults, Casey, Hurt, Greenwood, Flachsbart, DeGroot and Grissom. Nays – Grier. Whereupon Mayor Nation declared Bill No. 2940 approved, passed it and it became **ORDINANCE NO. 2759.**

BILL NO. 2942 AMENDS SECTION 7-21 OF THE CITY OF CHESTERFIELD CITY CODE TO ESTABLISH DEVELOPMENT STANDARDS AND REGULATIONS PERTAINING TO THE PLACEMENT OF RENEWABLE ENERGY STRUCTURES ON RESIDENTIAL PROPERTIES (SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2942. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2942 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2942 with the following results: Ayes – Greenwood, Hurt, Flachsbart, Grissom, Casey, Grier, Fults and DeGroot. Nays – None. Whereupon Mayor Nation declared Bill No. 2942 approved, passed it and it became **ORDINANCE NO. 2760.**

BILL NO. 2943 DECLARES CERTAIN IMPROVEMENTS OF THE
CHESTERFIELD HILL NEIGHBORHOOD IMPROVEMENT
DISTRICT COMPLETE, AUTHORIZES THE LEVY OF
SPECIAL ASSESSMENTS UPON BENEFITTED PROPERTY IN
SAID DISTRICT AND PROVIDES FOR THE TERMS AND
CONDITIONS OF SAID SPECIAL ASSESSMENT AND OTHER
ACTIONS IN CONNECTION THEREWITH **(FIRST READING;
FINANCE AND ADMINISTRATION COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2943. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2943 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 2943 by changing two dates on page 2, section 3, Notice of Assessment. In the first paragraph, change January 2, 2014 to January 1, 2014 and in the second paragraph, change January 1, 2005 to January 1, 2014. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION – PLANNING COMMISSION

None.

ADJOURNMENT

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

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk