RECORD OF PROCEEDING

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

August 21, 2006

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

Mayor Nations 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 John Nations	Councilmember Connie Fults
Councilmember Barry Flachsbart	
Councilmember Jane Durrell	
Councilmember Barry Streeter	
Councilmember Bruce Geiger	
Councilmember Dan Hurt	
Councilmember Mike Casey	
Councilmember Mary K. Brown	

APPROVAL OF MINUTES

The minutes of the July 17, 2006, 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 announced that City Hall will be closed on Monday, September 4 in observance of Labor Day. As a result, the next meeting of City Council has been scheduled for Wednesday, September 6.

COMMUNICATIONS AND PETITIONS

Darcy Capstick and Ken Denson, Co-Chairpersons of the Citizens Committee for the Environment, introduced and formally recognized the 50th and 51st "Green Team" members, as selected by the Citizens Committee for the Environment.

Brad Goss, 21 Maryhill Drive, supported Bill No. 2475 (P.Z. 39-2005, Westland Acres (Westland Acres Development, LLC).

Dennis Frey, 1705 Claymont Estates Court, opposed Bill No. 2475, (P.Z. 39-2005, Westland Acres (Westland Acres Development, LLC).

Jerry Duepner, 16640 Chesterfield Grove Road, supported Bill No. 2475 (P.Z. 39-2005, Westland Acres (Westland Acres Development, LLC).

Jeff Chappie, 328 Marmont Court, opposed legislation authorizing "red light" cameras.

Rodney Henry, 17661 Wild Horse Creek Road, supported Bill No. 2474 (P. Z. 10-2006, Plan Provision LLC (Wildhorse Child Care Center).

Doug Shatto, 1830 Craig Park Court supported Bill No. 2474 (P. Z. 10-2006, Plan Provision LLC (Wildhorse Child Care Center).

John Willems, 257 Chesterfield Business Parkway, supported Bill No. 2479 (Record plat for Villas at Westmeade (Baxter Crossing, Lot 5).

APPOINTMENTS

Mayor Nations nominated Bruce DeGrott, who resides at 16814 Crystal Springs Drive in Ward 4, to serve as an alternate member of the Board of Adjustment. Councilmember Brown made a motion, seconded by Councilmember Casey, to appoint Mr. DeGrott as a member of the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. DeGrott's 5-year term will expire August 21, 2011.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that this Committee is currently considering the placement of red light traffic enforcement cameras, at several intersections within the City. He noted that several municipalities and the City of St. Louis already have installed cameras and it is reported that they have successfully reduced violations in those areas. There would be no cost to the City for the installation and any income generated by the issuance of "citations" would be shared with the company installing and maintaining the cameras. Councilmember Flachsbart noted that the Committee members would continue seeking input, prior to this being discussed, at the next Committee meeting. A date/time for the next Committee meeting has not yet been set.

Councilmember Flachsbart announced that Bill No. 2469 (authorizes participation in St. Louis County Mental Health court/jail diversion program) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Flachsbart next reported that the Committee considered a change in policy regarding the Police Department's response to residential burglar alarms. It was noted that during the past 18 years, the Police Department has responded to an average of 2,000 burglar alarms annually. Almost without exception, these alarms prove to be the result of a malfunction or are accidentally activated. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to adopt a change in policy to direct vehicles responding to residential alarm calls to no longer utilize flashing lights and siren. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The response to commercial establishments will not change.

Councilmember Flachsbart next reported that the Committee addressed the issue of street closure requests. During the past few years, various groups have asked that city streets be closed for athletic runs and bicycle events and it has become increasingly difficult to accommodate these requests because of the growth in commercial development in certain areas. These events also are an inconvenience to motorists and to the commercial establishments in the area. As a result, Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to establish a policy to prohibit the entire closure of public streets for athletic runs and bicycle events, unless they are sponsored by the City of Chesterfield. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Flachsbart, to purchase the Logos software from New World, at a cost not to exceed $475,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Geiger expressed the appreciation of the F&A Committee for the quality

assistance provided by the members of the MIS Citizens Advisory Committee and Staff, during the entire process of reviewing various alternative software packages, as well as in the preparation of the contract for purchase and installation of this software. City Council directed Mr. Herring to officially commend the members of the MIS Citizens Advisory Committee and Staff, for their efforts.

Councilmember Geiger next reported that Bill No. 2470 (sets property tax rate regarding debt service for 1994 Parks Bonds) will be considered for adoption and Bill No. 2472 (readopts procedures for disclosure of conflicts of interest) will be read for the first time under the "Legislation" portion of the agenda.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for September 14 at 7:30 a.m. In addition, Councilmember Geiger reminded everyone that the Budget Meeting has been scheduled for November 4 at 9 a.m.

Public Works/Parks Committee

Councilmember Dan Hurt, Chairperson of the Public Works/parks Committee, reported that Bill No. 2461 (Amends Flood Damage Prevention ordinance) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to hold Bill No. 2471 (Changes the name of a portion of Old Olive Street Road to Edison Avenue) until the September 6 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 not been scheduled.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2466 (Renames streets in Chesterfield Commons), Bill No. 2474 (P.Z. 10-2006, Plan Provision LLC (Wildhorse Child Care Center), Bill No. 2475 (P.Z. 39-2005, Westland Acres (Westland Acres Development, LLC), Bill No. 2476 (P.Z. 8-2006, Four Seasons Plaza (Dr. Phil Hendricks) will be read for the first time. Bill No. 2460 (Wildhorse Creek Road Overlay), Bill No. 2462 (P.Z. 7-2006 (Dierbergs Meditation Park), Bill No. 2473 (Westerly Place (2297 Schoettler Road) Ordinance Amendment, Bill No. 2431 (P.Z. 19-2005, City of Chesterfield (Various Sections of Zoning Ordinance), Bill No. 2477 (Approves boundary adjustment plat for Lots 1 and 4 of Westerly Place), Bill No. 2478 (Approves record plat for Boone's Crossing NE), Bill No. 2479 (Approves record plat for Villas at Westmeade (Baxter Crossing, Lot 5) and Bill No. 2480 (Approves minor subdivision plat for the resubdivision of Lot 2C for the subdivision of Lot 2 of the Herman Stemme Office Park will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Brown reported that Resolution No. 330 authorizes the renaming of certain streets within Chesterfield Commons developments. An un-named street in the Commons west of RHL Drive is to be named "JDJ Drive", the street currently named "JW Drive" will be renamed "First Community Drive" and the street currently known as "Chesterfield Commons East Drive" will be renamed "CFS Drive". Councilmember Brown made a motion, seconded by Councilmember Casey, to adopt Resolution No. 330. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown that the next meeting of this Committee has been scheduled for August 24 at 5:30 p.m.

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that bids were recently sought on behalf of the St. Louis Metro Branch of the APWA "salt cooperative", for the purchase of deicing salt materials. As has been done in the past, the Department of Public Works has coordinated the purchasing process for approximately thirty-five cities. After having reviewed the information provided to him, Mr. Herring concurred with Mr. Geisel to award a contract to the low bidder, North American Salt Company, Inc., at a rate of $27.08/ton for the fall/winter delivery and $28.00/ton for the winter/spring delivery. The prices secured last year were $25.13/ton and $26.13/ton, respectively. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to award a contract to the low bidder, North American Salt Company, Inc., at a rate of $27.08/ton for the fall/winter delivery and $28.00/ton for the winter/spring delivery. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the "unloading and delivery" of deicing salt. Based upon the information provided to him by Mr. Geisel, Mr. Herring recommend award of a contract to Beelman River Terminal, at a price of $7.96/ton. It was noted that last year's delivery costs were $7.06/ton. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to award a contract to Beelman River Terminal, at a price of $7.96/ton. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of a third brush chipper. Based upon information provided to him by Mr. Geisel, Mr. Herring recommended the purchase of a brush chipper from Vermeer Midwest, Inc., at a total purchase price of $42,983.00. Mr. Herring noted that this bid amount is $7,983.00 over the budgeted amount of $35,000. However, Mr. Geisel and Mr. Craig have both assured him that adequate funds exist within the current budget, due to savings on previously purchased capital equipment, to cover the increased cost. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to purchase a brush chipper from Vermeer Midwest, Inc., at a total purchase price of $42,983.00. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Geiger directed Mr. Herring to add the following to the 8/24 P&Z Committee Agenda: "Shall potential appointees to the Board of Adjustment, as nominated by the Mayor, be interviewed by the Planning and Zoning Committee, before final consideration is given by City Council?"

Due to the number of residents in the audience interested in Bill No. 2475, Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to suspend the rules and address Bill No. 2475 at this time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2475 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "E 1/2 ACRE" ESTATE DISTRICT FOR 61.0 ACRES OF LAND LOCATED NORTH OF STRECKER ROAD AND EAST OF CHURCH ROAD (P.Z. 39-2005, WESTLAND ACRES (WESTLAND ACRES DEVELOPMENT LLC.) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED "GREEN SHEET")**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2475. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2575 was read for the first time. Councilmember Brown made a motion, seconded by Councilmember Casey, to adopt the "blue sheet" and incorporate an amendment to appear in line 4, following the colon, under (a) which now reads "estate and there is a possibility of future development activities near", and a new line 6, which now reads "certain businesses which, at times, operate a paving business". A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to strike the word "residential" on the blue sheet. A voice vote was taken with an affirmative result with Councilmembers Brown and Casey voting "No" and the motion was declared passed. Councilmember Brown made a motion, seconded by Councilmember Casey, to adopt the proposed "green sheet" amendments, as recommended by the Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart requested that the "disclosure statement" just approved be put into final form, for additional review by City Council, at the next meeting. Councilmember Geiger commended the Planning Commission and the Planning and Zoning Committee, as well as Director of Planning and Aimee Nassif, for the good job they have done in creating this legislation.

LEGISLATION

BILL NO. 2461 REPEALS ORDINANCE 1063 AS EMBODIED IN CHAPTER 14, FLOOD DAMAGE PREVENTION, OF THE CITY CODE AND REPLACES IT WITH A NEW CHAPTER 14 WITH ADDITIONAL REQUIREMENTS RELATIVE TO ELEVATION OF STRUCTURES, SUPLEMENTAL PROTECTION AREAS AND THE CHESTERFIELD VALLEY MASTER STORM WATER PLAN MODEL (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2461. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2461 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2461, with the following results: Ayes - Hurt, Flachsbart, Brown, Geiger, Streeter, Casey and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2461 approved, passed it and it became **ORDINANCE NO. 2284.**

BILL NO. 2469 AUTHORIZES THE CITY COUNCIL OF THE CITY OF CHESTERFIELD TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF CHESTERFIELD, MISSOURI, WITH ST. LOUIS COUNTY, MISSOURI, FOR PROVISION OF MUNICIPAL ORDINANCE PROSECUTION SERVICES, AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE (**FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2469. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2469 was read for the first time.

BILL NO. 2470 FIXES THE RATE OF TAXATION FOR THE YEAR 2006 AND LEVIES A TAX ON ALL REAL AND PERSONAL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF CHETERFIELD, MISSOURI, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE GENERAL OBLIGATION BOND ISSUE FOR PARKS; EFFECTIVE WHEN (**FIRST AND SECOND READINGS – FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 2470. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2470 was read for the first time. Councilmember Geiger noted that the proposed property tax rate, of $.06/$100 was

unchanged from last year and that the total proceeds from this tax are used for debt service on Parks Bonds, approved by the voters in 1994.

Councilmember Geiger made a motion, to suspend the rules of Council, to authorize the second reading and consideration for adoption of this proposed ordinance. The motion was seconded by Councilmember Casey and approved unanimously.

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2470. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2470 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2470, with the following results: Ayes – Streeter, Durrell, Hurt, Geiger, Casey and Brown. Nays - Flachsbart. Whereupon, Mayor Nations declared Bill No. 2470 approved, passed it and it became **ORDINANCE NO. 2285**

BILL NO. 2472 RE-ADOPTS THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605 OF THE CITY OF CHESTERFIELD AS THE PROCEDURE FOR DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS (**FIRST READING – FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2472. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2472 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2460 ESTABLISHES A NEW SECTION 1003.110 "WH" WILD HORSE CREEK ROAD OVERLAY, SAID NEW SECTION PROVIDES GENERAL AND SPECIFIC DEVELOPMENT CRITERIA FOR ALL PROPERTIES IN THE AREA KNKOWN AS THE "WILDHORSE CREEK ROAD SUB-AREA" IN THE CITY OF CHESTERFIELD COMPREHENSIVE PLAN (P.Z. 6-2006, CITY OF CHESTERFIELD/"WH" WILDHORSE CREEK ROAD OVERLAY) **SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; BLUE SHEET AMENDMENT PREPARED BY CITY ATTORNEY)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2460. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Brown made a motion, seconded by Councilmember Casey, to approve proposed amendments, contained within the "Blue Sheet". A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2460 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2460, as amended, with the following results: Ayes - Flachsbart, Geiger, Brown, Casey, Durrell, Streeter and Hurt. Nays - None. Whereupon,

Mayor Nations declared Bill No. 2460 approved, passed it and it became **ORDINANCE NO. 2286.**

BILL NO. 2462 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHETERFIELD BY CHANGING THE BOUNDARIES OF AN "R-2" RESIDENCE DISTRICT TO A "PS: PARK AND SCENIC DISTRICT FOR A 1.875-ACRE TRACT LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD AT ITS INTERSECTION WITH RIVER VALLEY DRIVE (P.Z. 7-2006, CITY OF CHESTERFIELD/DIERBERGS MEDITATION PARK) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2462. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2462 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2462, with the following results: Ayes – Geiger, Durrell, Streeter, Hurt, Casey, Brown and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2462 approved, passed it and it became **ORDINANCE NO. 2287.**

BILL NO. 2466 NAMES ONE (1) STREET "JDJ DRIVE" AND RE-NAMES TWO (2) STREETS: JW DRIVE TO "FIRST COMMUNITY DRIVE"; AND A SECTION OF CHESTERFIELD COMMONS EAST DRIVE TO "CFS DRIVE" **(FIRST AND SECOND READINGS – DEPART OF PLANNING RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2466. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2466 was read for the first time. A motion was then made by Councilmember Geiger, seconded by Councilmember Casey, to hold Bill No. 2466, until the September 18 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. After much discussion, Councilmember Flachsbart made a motion to rescind Resolution No. 330, except as it applies to the re-naming of "JW Drive" to "First Community Drive". A voice vote was taken and the motion passed, with a vote of 4-3, with Councilmembers Hurt, Casey and Brown voting "no". Mr. Herring was directed to convey to the petitioner that City Council does not support the use of the names "JDJ Drive" nor the use of "CFS Drive" and to request that they submit other names for those two drives.

BILL NO. 2473 REPEALS ORDINANCE NOS. 381, 485, 499 AND 516 OF THE CITY OF CHESTERFIELD BY AMENDING THE CONDITIONS SET OUT THEREIN WITH REGARD TO THE WESTERLY PLACE SUBDIVISION, WHICH IS AN ESTABLISHED "R-1A" DISTRICT IN A "PEU" LOCATED ON THE WEST SIDE OF SCHOETTLER ROAD, SOUTH OF GEORGETOWN DRIVE

(2297 SCHOETTLER ROAD) **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2473. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2473 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2473. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2473 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2473, with the following results: Ayes - Geiger, Durrell, Casey, Brown, Flachsbart, Streeter and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2473 approved, passed it and it became **ORDINANCE NO. 2288.**

BILL NO. 2474 AMENDS THE ZONING ORDIANNCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO AN "E" 1/2 ACRE" ESTATE DISTRICT FOR A 2.245 ACRE TRACT OF LAND LOCATED NORTH OF WILDHORSE CREEK ROAD AND WEST OF LONG ROAD (P.Z. 10-2006 PLAN PROVISION, LLC (WILDHORSE CHILD CARE CENTER) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED "GREEN SHEET")**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2474. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2474 was read for the first time. Councilmember Brown made a motion, seconded by Councilmember Casey, to approve the "Green Sheet". Discussion followed. Councilmember Brown next made a motion, seconded by Councilmember Casey, to amend the "green sheet", Amendment 1, L12, by adding "any other use of this site, other than a child care center, shall require the access on to Wildhorse Creek Road to be closed at the time of development of both 17655 Wildhorse Creek Road and the internal roadway system, and one access to this site provided elsewhere, unless required by Monarch Fire District, which will then be a gated access for the Fire District only and the rest to be restored to green space." A roll call vote was taken with the following results – Ayes – Durrell, Brown and Casey. Nays – Hurt, Streeter, Flachsbart and Geiger. The motion failed. Councilmember Brown made a motion, seconded by Councilmember Durrell, to amend the "green sheet" to add a provision to signalize the intersection. Discussion followed. Councilmember Flachsbart called for the question. By a voice vote of 6-1, with Councilmember Durrell voting "no", City Council was required to vote on Councilmember Brown's amendment. Mayor Nations called for a vote on Councilmember Brown's amendment with the following

results: Ayes – Brown and Durrell. Nays – Hurt, Casey, Streeter, Flachsbart and Geiger. The motion was declared defeated. Mayor Nations then called for a vote on the "green sheet", without amendment, and the original motion was approved by a vote of 6 – 1 (Councilmember Brown voted "No".)

BILL NO. 2431 CHANGES AND DELETES PORTIONS OF SECTION 1003.141 (MUSEUM AND ARTS AREA) AND SECTION 1003.126A (RESIDENTIAL TEAR-DOWNS) OF THE CITY OF CHESTERFIELD ZONING ORDINANCE, AND ADDS SECTION 1003.126B (RESIDENTIAL ADDITIONS) (P.Z. 19-2005, CITY OF CHESTERFIELD (VARIOUS SECTIONS OF ZONING ORDINANCE) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED "GREEN SHEET")**

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2431. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2431 was read for the second time. Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to adopt amendments on the "green sheet". A roll call vote was taken with the following results: Ayes – Flachsbart, Streeter, Casey, Hurt. Nays – Geiger, Brown, Durrell. A roll call vote was taken for passage and approval of Bill No. 2431, as amended, with the following results: Ayes - Streeter, Flachsbart, Casey and Hurt. Nays – Brown, Geiger and Durrell. Whereupon, Mayor Nations declared Bill No. 2431 defeated, since it did not receive five (5) affirmative votes. As a member of the prevailing side, Councilmember Brown then made a motion, seconded by Councilmember Geiger, to reconsider Bill No. 2431, as amended, at the September 6 City Council meeting. The motion was approved, by a vote of 5-2, with Councilmembers Flachsbart and Hurt voting "no".

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BILL NO. 2476 REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 775 AND REPLACES IT WITH A NEW ORDINANCE PROVIDING FOR FINANCIAL INSTITUTIONS, MEDICAL AND DENTAL OFFICES, RESTAURANTS AND DRIVE-UP FACILITIES IN FOUR SEASONS PLAZA, A "C-8" PLANNED COMMERCIAL DISTRICT – ZONED PARCEL, LOCATED ON THE SOUTH SIDE OF OLIVE BOULEVARD, DIRECTLY ACROSS FROM THE INTERSECTION OF STATE HIGHWAY 340 AND RIVER VALLEY DRIVE (P.Z. 8-2006, FOUR SEASONS PLAZA (DR. PHIL HENDRICKS) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2476. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2476 was read for the first time.

BILL NO. 2477 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR LOT 1 AND LOT 4 OF WESTERLY PLACE,, PLAT BOOK 302, PAGES 18 AND 19, KNOWN AS TRACTS OF LAND IN U.S. SURVEY 412, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2477. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2477 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2477. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2477 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2477, with the following results: Ayes – Durrell, Hurt, Casey, Flachsbart, Streeter, Geiger and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2477 approved, passed it and it became **ORDINANCE NO. 2289.**

BILL NO. 2478 PROVIDES FOR APPROVAL OF A RECORD PLAT FOR BOONE'S CROSSING NE, FOR A 6.172 ACRE TRACT OF LAND, ZONING "PC" PLANNED COMMERCIAL DISTRICT, LOCATED AT THE NORTHEAST QUADRANT OF BOONE'S CROSSING AND THE HIGHWAY 40 INTERCHANGE **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2478. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2478 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2478. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2478 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2478, with the following results: Ayes – Hurt, Casey, Brown, Geiger, Flachsbart, Durrell and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. approved, passed it and it became **ORDINANCE NO. 2290.**

BILL NO. 2479 PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR THE VILLAS AT WESTMEADE, A RESUBDIVISION OF LOT 5 OF BAXTER CROSSING, FOR AN 11.795 ACRE TRACT OF LAND ZONED "R-2/R-5/R-8" PLANNED ENVIRONMENTAL UNIT (PEU) RESIDENTIAL DISTRICT, LOCATED SOUTH OF

BAXTER ROAD AND NORTH OF WILSON ROAD **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2479. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2479 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2479. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2479 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2479, with the following results: Ayes – Brown, Flachsbart, Casey, Durrell, Geiger, Hurt and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2479 approved, passed it and it became **ORDINANCE NO. 2291.**

BILL NO. 2480 PROVIDES FOR THE APPROVAL OF A MINOR SUBDIVISION PLAT FOR THE RESUBDIVISION OF LOT 2C FOR THE SUBDIVISION OF LOT 2 OF HERMANN STEMME OFFICE PARK, FOR A 7.727 ACRE TRACT OF LAND ZONED "C-8" PLANNED COMMERCIAL DISTRICT, LOCATED AT THE NORTHWEST QUADRANT OF SWINGLEY RIDGE AND CHETERFIELD PARKWAY EAST **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2480. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2480 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2480. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2480 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2480, with the following results: Ayes – Durrell, Streeter, Hurt, Flachsbart, Brown, Casey and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2480 approved, passed it and it became **ORDINANCE NO. 2292.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 8:59 p.m.

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Mayor John Nations

ATTEST:

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Martha L. DeMay, City Clerk