



RECORD OF PROCEEDING

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

August 21, 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 Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember John Nations
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Charles Scheidt

ABSENT

None

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 7, 2000, City Council meeting were submitted for approval. Councilmember Nations made a motion to approve the City Council minutes. Councilmember Flachsbart 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 the Government Center would be closed Monday, September 4 in observance of Labor Day.

Mayor Greenwood introduced Mr. Bob Dingwall, Chairperson of the Beautification Committee, who gave a video presentation of the three winning entries for the subdivision entrance beautification contest. The winners were First Place – Thousand Oaks; Second Place – Baywood Village; Third Place – Scarborough West. The contestants were judged on design, choice of materials and ease of maintenance. Mayor Greenwood congratulated all of the winners, thanks everyone who participated and thanked Mr. Dingwell and his Committee for their effort.

COMMUNICATIONS AND PETITIONS

John McDonald, who resides at 1332 Amherst Terrace Way, opposed Bill No. 1846, P. Z. 14-2000, One Chesterfield Place, because the City's traffic study has not been completed prior to the legislation being consideration for adoption.

APPOINTMENTS

Mayor Greenwood nominated Chris Barry for re-appointment to the Public Works Board of Variance. Councilmember Hurt, made a motion, seconded by Councilmember Casey, to re-appoint Chris Barry to the Public Works Board of Variance. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Barry's term will expire August 21, 2005.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsart, Chairperson of the Public Health and Safety Committee announced that the next meeting of this Committee has been scheduled for Thursday, August 31 at 5:30 p.m.

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Bill No. 1853, regarding setting the property tax rate regarding the Parks Bond Issue debt service, will be considered for adoption under the "Legislation" portion of the agenda. Councilmember Streeter reminded Council that this legislation will lower the current tax rate from \$.13/\$100 to \$.10/\$100. This action is recommended by the Committee.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for September 14 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1846 (P.Z. 14-2000, One Chesterfield Place), Bill No. 1847 (P.Z. 15-2000, Hayden Homes), Bill No. 1849 (Hayden Homes), Bill No. 1854 (amends the electrical code as proposed by St. Louis County) and Bill No. 1856 (approves the record plat and escrow agreement for Chesterfield Commons), will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

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

Public Works/Parks Committee

Councilmember Mary Brown, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1845, which requires review and comment by the Levee District on grading activities in Chesterfield Valley, and Bill No. 1853, which lowers the property tax rate on the Parks Bond Issue, will be considered for adoption under the "Legislation" portion of the agenda. Bill No. 1855, which amends hours for construction activities adjacent to residential area, will be read for the first time.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for August 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 informed him that a contract for professional services has been negotiated with Intuition And Logic, in an amount not to exceed \$84,445, for design services associated with the Bridle Creek Stormwater Project. One-half of this total cost will be reimbursed to the City utilizing grant funds obtained from the Metropolitan St. Louis Sewer District. Having reviewed all of this information, he joined with Mr. Geisel in recommending approval of this proposed contract with Intuition And Logic, in an amount not to exceed \$84,445. Councilmember Flachsbart made a motion, seconded by Councilmember Nations, to award the contract to Intuition And Logic, in an amount not to exceed \$84,445, for design services for the Bridle Creek Stormwater Project. 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 glazed aluminum windows, aluminum framed windows, store fronts and glazing. Based on review of bids obtained, Director of Public Works/City Engineer Mike Geisel and construction manager, S. M. Wilson, have recommended award of a contract in an amount not to exceed \$362,560, to Gateway Window. Funds to cover this entire cost are provided within the budget for the proposed Government Center, and is well below original estimates established for this particular aspect of this construction project. Councilmember Streeter made a motion, seconded by Councilmember Brown, to award the contract to Gateway Window, in an

amount not to exceed \$362,560. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the City of Chesterfield has received a liquor license request from Tony Joe's Pizzeria, located at 103 Chesterfield Towne Centre, to sell beer and wine 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 Brown made a motion, seconded by Councilmember Scheidt, to approve the liquor license request. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Mayor Greenwood commended Staff for implementing "Bobby," a program to make the City's web site accessible to visually impaired individuals. The service is free and provided by the Center for Applied Special Technology (CAST).

City Attorney Doug Beach requested authorization for the City to participate in the St. Louis County Municipal League Consortium, to develop rights-of-way ordinances for application to telecommunications companies. The Consortium is hiring attorneys to work on a uniform rights-of-way ordinance. He further requested that the cost of participation in the St. Louis County Municipal League Consortium would be \$1,225. Councilmember Hurt made a motion, seconded by Councilmember Scheidt, to authorize the City of Chesterfield to participate in the Consortium at a cost of \$1,225 with the entire amount transferred from Contingency. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Beach will be the primary representative of the City on this Consortium.

Mayor Greenwood announced that there would be a special City Council meeting on Wednesday, August 30 at 7 p.m. with regard to possible settlement of the Solomon II litigation.

LEGISLATION

BILL NO. 1845

AMENDS ORDINANCE NO. 334 AS EMBODIED IN CODE SECTION 12: CLEARING, GRADING, EROSION, AND SEDIMENTATION CONTROL OF THE CITY OF CHESTERFIELD, MISSOURI CODE BY AMENDING SECTION 12-17 BY ADDING A NEW SECTION (C) WHICH SHALL BE A PROVISION FOR REVIEW BY THE MONARCH-CHESTERFIELD LEVEE DISTRICT; PROVIDES FOR THE CURRENT MAINTENANCE OF THIS CODE; AND PROVIDES FOR THE REPEAL OF ALL CONFLICTING ORDINANCES (**SECOND READING** – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1845. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1845 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1845, with the following results: Ayes – Nations, Scheidt, Casey, Flachsbart, Hurt, Brown, Durrell and Streeter. Nays - None. Whereupon Mayor Greenwood declared Bill No.1845 approved, passed it and it became **ORDINANCE NO. 1658.**

BILL NO. 1853 FIXES THE RATE OF TAXATION FOR THE YEAR 2000 AND LEVIES A TAX ON ALL 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 – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1853. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1853 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1853, with the following results: Ayes – Nations, Casey, Brown, Scheidt, Hurt, Durrell and Streeter. Nays - Flachsbart. Whereupon Mayor Greenwood declared Bill No. 1853 approved, passed it and it became **ORDINANCE NO. 1659.**

BILL NO. 1855 AMENDS ORDINANCE NO. 1568 AND CODE SECTION 7-1A 2 AND B RELATING TO CONSTRUCTION ACTIVITIES AND THE TIME DURING WHICH CONSTRUCTION ACTIVITIES MAY TAKE PLACE NEAR RESIDENCES (**FIRST READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1855. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1855 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1846 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 6.4 ACRE TRACT OF LAND LOCATED ON NORTH OUTER FORTY, WEST OF BONHOMME PRESBYTERIAN CHURCH (P.Z. 14-2000, ONE CHESTERFIELD PLACE (**SECOND**

**READING – PLANNING COMMISSION RECOMMENDS
APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No.1846. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1846 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Brown, to amend Attachment A, Page 5 Section 3 (d) to read “twenty five (25) feet” instead of “thirty (30) feet.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was then taken for passage and approval of Bill No. 1846, as amended, with the following results: Ayes – Brown, Casey, Nations, Durrell, Flachsbart, Hurt, Scheidt and Streeter. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1846 approved, passed it and it became **ORDINANCE NO. 1660.**

BILL NO. 1847	CHANGES THE ZONING DESIGNATIONS FROM “NU” NON-URBAN DISTRICT TO “R-3” 10,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 13.7 ACRE TRACT OF LAND LOCATED AT THE SOUTH SIDE OF CONWAY ROAD, EAST OF DELMAR GARDENS (P.Z. 15-2000, HAYDEN HOMES – AUGUST HILL ON CONWAY) (SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)
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Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1847. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1847 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1847, with the following results: Ayes – Nations, Durrell, Brown, Flachsbart, Casey, Scheidt, Hurt and Streeter. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1847 approved, passed it and it became **ORDINANCE NO. 1661.**

BILL NO. 1849	ESTABLISHES A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN AN “R-3” 10,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 13.7 ACRE TRACT OF LAND LOCATED AT THE SOUTH SIDE OF CONWAY ROAD, EAST OF DELMAR GARDENS (P.Z. 16-2000, HAYDEN HOMES – AUGUST HILL ON CONWAY) (SECOND READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)
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Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1849. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1849 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Casey to amend Attachment A Section 5 (b) to read “.....a twenty-four (24) foot pavement with eight (8)

ft. stabilizer shoulders” Discussion ensued. Councilmember Flachsbart made a motion to call for the question. The motion was seconded by Councilmember Nations and approved unanimously. A roll call vote was taken on the amendment with the following results: Ayes – Casey and Hurt. Nays – Brown, Nations, Streeter, Flachsbart, Scheidt and Durrell. Mayor Greenwood declared the motion failed. A roll call vote was taken for passage of Bill No. 1849 with the following results: Ayes – Brown, Nations, Streeter, Flachsbart, Scheidt, Casey, Hurt and Durrell. Nays – None. Whereupon Mayor Greenwood declared Bill No.1849 approved, passed it and it became **ORDINANCE NO. 1662.**

BILL NO. 1854 ADOPTS AND ENACTS AMENDMENTS TO THE ELECTRICAL CODE AS AMENDED BY ST. LOUIS COUNTY (**FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1854. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1854 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1854. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1854 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1854, with the following results: Ayes – Streeter, Nations, Brown, Durrell, Scheidt, Hurt, Casey and Flachsbart. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1854 approved, passed it and it became **ORDINANCE NO. 1663.**

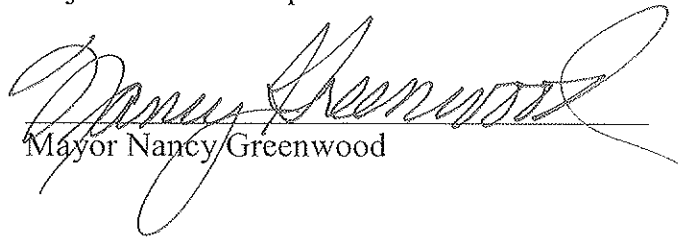
BILL NO. 1856 AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE CHESTERFIELD COMMONS RECORD PLAT AND ESCROW AGREEMENT FOR A TRACT OF LAND BEING PART OF LOTS 1,2,3 AND 4 OF THE SUBDIVISION OF LUDWELL BACONS ESTATE AND PART OF LOTS 1,2,3,4,5,6,7,8,9 AND 10 OF THE HERMAN FICKE ESTATE SUBDIVISION IN U.S. SURVEYS 125 AND 2031, TOWNSHIP 45 NORTH-RANGE 4 EAST LOCATED ON THE NORTH AND SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD EAST OF THE BOONE’S CROSSING INTERCHANGE (**FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1856. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1856 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 1856. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1856 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1856, with the following results: Ayes – Brown, Streeter, Nations, Scheidt, Durrell, Casey, Hurt and Flachsbart. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1856 approved, passed it and it became **ORDINANCE NO. 1664**.

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:55 p.m.



Mayor Nancy Greenwood

ATTEST:



Martha L. DeMay, City Clerk