



RECORD OF PROCEEDING

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

August 19, 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. Councilmember DeGroot said a few words in recognition of the recent tragic deaths of three local teens: Lauren Oliver, Kathleen Oliver and Chris Lenzen and asked that everyone keep them and their families in our thoughts and prayers.

A roll call was taken with the following results:

PRESENT

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

ABSENT

Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the August 5, 2013 Public Hearing were submitted for approval. Councilmember Grier made a motion, seconded by Councilmember DeGroot, to approve the Public Hearing minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the August 5, 2013 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Greenwood, 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 presented a proclamation to Caroline Glaser, a Chesterfield resident, who recently appeared on the NBC series, “The Voice” and progressed to the Top 16 before being eliminated. She has since signed with a booking agent, has been writing/recording songs for an upcoming album and is performing throughout the region. Ms. Glaser then performed a song for those in attendance.

Ms. Darcy Capstick and members of the Citizens Committee for the Environment recognized two new “Green Team” members: St. Louis Composting and Ted Jansen, local beekeeper. Sara Ryan received this recognition on behalf of St. Louis Composting. The children of Ted Jansen (Tracey Jansen, Mary Lammert and her son Nick, and Patty Jansen) were in attendance to receive this recognition. Councilmembers Hurt, Greenwood and Flachsbart expressed their appreciation to the recipients of the Green Team award as well as the members of the Citizens Committee for the Environment for their contributions to the City.

Mayor Nation announced that City Hall will be closed on Monday, September 2 in observance of the Labor Day holiday.

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, September 9, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Al Strobing, who resides at 14925 Royalbrook Drive, spoke in support of Bill No. 2940 (Parking of Certain Motor Vehicles in Residential Districts Prohibited).

Carol Kenney, who resides at 256 Ridge Trail Drive and is on the board of the River Bend Association, spoke in support of Bill No. 2940 (Parking of Certain Motor Vehicles in Residential Districts Prohibited) and stated that it is difficult for subdivision trustees to enforce their rules without the backing of a City ordinance.

Mayor Geiger recognized Boy Scout Matthew Miller in attendance and invited Mr. Miller to meet with him following the meeting, with any questions he might wish to ask.

APPOINTMENTS

Mayor Nation nominated Mr. Bud Gruchalla, 14015 Camberra Court (Ward I), for re-appointment to the Architectural Review Board. Councilmember Hurt made a motion, seconded by Councilmembers Greenwood and Flachsbart, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Gruchalla's two-year term will expire August 29, 2015.

Mayor Nation nominated Mr. Matt Adams, 43 Baxter Lane (Ward II), for re-appointment to the Architectural Review Board. 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. Adams' two-year term will expire January 2, 2015.

Mayor Nation nominated Mr. Gary Perkins, 1560 Walpole (Ward II), for re-appointment to the Architectural Review Board. Councilmember Grissom made a motion, seconded by Councilmember Grier, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Perkins' two-year term will expire September 6, 2015.

Mayor Nation nominated Mr. Robert C. Meier, 1967 Chesterfield Ridge Circle (Ward III), for re-appointment to the Police Personnel Board. Councilmember Casey made a motion, seconded by Councilmember Hurt, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Meier's three-year term will expire August 15, 2016.

Mayor Nation nominated Mr. Steven Spencer, 1317 Carriage Crossing Lane (Ward IV), for re-appointment to the Public Works Board of Variance. Councilmember Casey made a motion, seconded by Councilmember DeGroot, to approve this re-appointment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Spencer's five-year term will expire August 21, 2018.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, reported that Bill No. 2936 (Establishes the Property Tax Rate for 2013) will be considered for adoption under the "Legislation" portion of the Agenda.

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to adopt Resolution No. 401, which approves a Tax-Advantaged Financing Compliance Policy

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

Councilmember Casey reported that Bill No. 2941 (Refunding of Certificates of Participation Debt, Series 2005) is scheduled for both first and second approval under the “Legislation” portion of the Agenda.

Planning/Public Works Committee

Councilmember Derek Grier, Vice-Chairperson of the Planning/Public Works Committee, reported that Bill No. 2937 (16889 Chesterfield Airport Road) will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Grier reported that Bill No. 2938 (346 N. Eatherton Road) will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Grier made a motion, seconded by Councilmember Flachsbarth, to approve the amendment to City Policy No. 3 regarding the Chesterfield Historic and Landmark Preservation Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Grier reported that Bill No. 2939 (Authorizes the City Administrator to Execute a “License to Utilize Easement”) will be read for the first time under the “Legislation” portion of the Agenda.

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

Councilmember Grier reported that Bill No. 2942 (Defines/Governs Renewable Energy for Residential Properties) will be read for the first time under the “Legislation” portion of the Agenda.

Councilmember Grier announced that the next meeting of this Committee, which was scheduled for Thursday, August 22, at 5:30 p.m., has been canceled.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Michael Herring indicated that he had no report this evening.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2936 FIXES THE RATE OF TAXATION FOR THE YEAR 2013 AND LEVIES A TAX ON ALL REAL AND PERSONAL 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; FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Casey made a motion, seconded by Councilmember Greenwood, for the second reading of Bill No. 2936. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2936 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2936 with the following results: Ayes – Grier, DeGroot, Casey, Flachsbar, Grissom, Greenwood and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 2936 approved, passed it and it became **ORDINANCE NO. 2754.**

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 **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Grier made a motion, seconded by Councilmember DeGroot, for the first 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 first time.

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 **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2940. Councilmember Grier stated that he would be voting “no” on Bill No. 2940 because he does not consider this a problem citywide and because he believes the new law has the potential to affect the livelihood of certain individuals. He stated he is a firm believer in making government as local as possible; in this case, allowing local community associations the ability to set their own standards for parking in their neighborhoods. A voice vote was taken with an affirmative result (Councilmember Grier voted “no”) and the motion was declared passed. Bill No. 2940 was read for the first time.

BILL NO. 2941 AUTHORIZES THE CITY OF CHESTERFIELD, MISSOURI TO ENTER INTO A LEASE PURCHASE TRANSACTION, THE PROCEEDS OF WHICH WILL BE USED TO PAY THE COSTS OF REFUNDING THE OUTSTANDING CERTIFICATES OF PARTICIPATION (CITY OF CHESTERFIELD, MISSOURI, LESSEE), SERIES 2005; AND AUTHORIZES THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH (FIRST AND SECOND READINGS; F&A COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2941. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2941 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2941. Councilmember Hurt stated that he is not opposed to this proposed bill, but he would vote “NO”, simply because he does not see a need to have both readings at the same Council meeting. Mr. Herring noted that the F&A Committee had specifically directed that both readings be scheduled for tonight’s meeting, in order to provide the greatest opportunity of meeting the threshold required, in order to warrant refinancing of this debt. A voice vote was taken with an affirmative result (Councilmember Hurt voted “no”) and the motion was declared passed. Bill No. 2941 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2941 with the following results: Ayes – Greenwood, Hurt, DeGroot, Flachsbart, Casey, Grier and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 2941 approved, passed it and it became **ORDINANCE NO. 2755**.

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 **(FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Grier made a motion, seconded by Councilmember Flachsbart, for the first 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 first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2937 REPEALS THE ZONING ORDINANCE 7014 OF ST. LOUIS COUNTY BY CHANGING THE BOUNDARIES OF AN “M-3” PLANNED INDUSTRIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 0.709 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT RD. APPROXIMATELY 1,000 FEET EAST OF CHESTERFIELD COMMONS DR. (P.Z. 08-2013 16889 CHESTERFIELD AIRPORT RD., {TIMOTHY MEYER} 17T230189). **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Grier made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2937. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2937 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2937 with the following results: Ayes – DeGroot, Flachsbart, Hurt, Greenwood, Grier, Casey and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 2937 approved, passed it and it became **ORDINANCE NO. 2756**.

BILL NO. 2938 AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 3.043 ACRE TRACT OF LAND LOCATED APPROXIMATELY 550 FEET SOUTHEAST OF THE INTERSECTION OF WINGS CORPORATE DRIVE AND NORTH EATHERTON ROAD. (P.Z. 11-2013 346 N. EATHERTON RD. {CHESTERFIELD LAWNS AND LANDSCAPES} 18W430024). **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Grier made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2938. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2938 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2938 with the following results: Ayes – Grissom, Grier, Flachsbart, Casey, Hurt, DeGroot and Greenwood. Nays – None. Whereupon Mayor Nation declared Bill No. 2938 approved, passed it and it became **ORDINANCE NO. 2757**.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:52 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk