



RECORD OF PROCEEDING

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

AUGUST 17, 2009

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

Mayor John Nations
Councilmember Barry Flachsbarth
Councilmember Matt Segal
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Mike Casey
Councilmember Randy Logan
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

None

PRESENTATION

Mayor Nations recognized Bill and Sandy Kirchoff and commended them for their many contributions to the community. Mayor Nations presented a proclamation to Mrs. Sandy Kirchoff, who was crowned the 2009 “Ms. Missouri Senior America” on July 11, 2009.

APPROVAL OF MINUTES

The minutes of the August 3, 2009 City Council meeting were submitted for approval. Councilmember Erickson made a motion, seconded by Councilmember Segal, to approve the City Council minutes. A voice vote was taken with an affirmative result (7-0-1 Councilmember Logan abstained) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations announced that City Hall will be closed Monday, September 7, in observance of the Labor Day Holiday.

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

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, reported that Bill No. 2743 (fixes the rate of taxation for the year 2009) and Bill No. 2744 (Financial Disclosure) is scheduled for both first and second reading approval, under the "Legislation" portion of the Agenda.

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

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2739 (amends Ord. No. 2370 re: "Open House" signs) and Bill No. 2740 [P.Z. 05-2009 – River Crossing (Lot C, Holiday Inn & Suites)] will be considered for adoption under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Fults next reported that Bill No. 2745 (approves the installation of three fire hydrants in the Downtown Chesterfield development) and Bill No. 2746 (approves the installation of fourteen fire hydrants within the Monarch Chesterfield Levee District) are scheduled for both first and second reading approval, under the "Legislation" portion of the Agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, August 20, at 5:30 p.m.

REPORT OF THE ACTING CITY ADMINISTRATOR

Acting City Administrator Libbey Malberg reported that Addie's Thai House, 13441 Olive Blvd., requested a new liquor license to sell all kinds of liquor by the drink. Ms. Malberg reported that this application has been reviewed and recommended for approval by the Departments of Planning/Public Works and Police. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve issuance of a new liquor license to Addie's Thai House. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Geiger stated that the City Council had earlier approved the expenditure of \$25,000 to assist Chesterfield Arts in their promotion of "The Awakening" sculpture and Chesterfield Arts has acquired 20 sculptures created by J. Seward Johnson. Councilmember Geiger encouraged everyone in attendance to see the J. Seward Johnson Sculpture Exhibition sculptures which have been placed throughout the City. Mayor Nations announced that two of the sculptures are located at City Hall. Councilmember Flachsbart stated that he has received numerous comments from citizens who say they really enjoy the sculptures.

LEGISLATION

**BILL NO. 2743 FIXES THE RATE OF TAXATION FOR THE YEAR 2009 AND
LEVYING 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. (FIRST AND SECOND READINGS;
FINANCE & ADMINISTRATION COMMITTEE)**

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2743. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2743 was read for the first time.

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2743. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2743 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2743 with the following results: Ayes – Casey, Nation, Fults, Geiger, Logan, Erickson, Segal and Flachsbart. Nays – None. Whereupon Mayor Nations declared Bill No. 2743 approved, passed it and it became **ORDINANCE NO. 2561**.

Mayor Nations commended Director of Finance and Administration Kelly Vaughn for her presentation and her work throughout the year on the finances for the City.

**BILL NO. 2744 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 AND SECOND
READINGS – CITY ATTORNEY RECOMMENDS
APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2744. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2744 was read for the first time.

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2744. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2744 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2744 with the following results: Ayes – Flachsbart, Geiger, Fults, Erickson, Segal, Nation, Logan and Casey. Nays – None. Whereupon Mayor Nations declared Bill No. 2744 approved, passed it and it became **ORDINANCE NO. 2562**.

**BILL NO. 2745 APPROVES THE INSTALLATION OF THREE FIRE
HYDRANTS IN DOWNTOWN CHESTERFIELD LOCATED
WITHIN THE CITY OF CHESTERFIELD (FIRST AND
SECOND READINGS – PLANNING AND PUBLIC WORKS
COMMITTEE)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2745. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2745 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2745. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2745 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2745 with the following results: Ayes – Flachsbart, Geiger, Erickson, Fults, Casey, Nation, Segal and Logan. Nays – None. Whereupon Mayor Nations declared Bill No. 2745 approved, passed it and it became **ORDINANCE NO. 2563**.

**BILL NO. 2746 APPROVES THE INSTALLATION OF FOURTEEN FIRE
HYDRANTS WITHIN THE MONARCH CHESTERFIELD
LEVEE DISTRICT LOCATED IN THE CITY OF
CHESTERFIELD (FIRST AND SECOND READINGS –
PLANNING AND PUBLIC WORKS COMMITTEE)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2746. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2746 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2746. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2746 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2746 with the following results: Ayes – Erickson, Logan, Geiger, Fults, Flachsbart, Nation, Casey and Segal. Nays – None. Whereupon Mayor Nations declared Bill No. 2746 approved, passed it and it became **ORDINANCE NO. 2564.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2739 REPEALS SECTION 2.5-4 PERTAINING TO OFF PREMISE RESIDENTIAL REAL ESTATE OPEN HOUSE DIRECTIONAL SIGNS; AND TO ESTABLISH NEW RULES FOR THE REGULATION AND PLACEMENT OF RESIDENTIAL REAL ESTATE OPEN HOUSE SIGNS WITHIN THE CITY OF CHESTERFIELD, MISSOURI (**SECOND READING - PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2739. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2739 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2739 with the following results: Ayes – Flachsbart, Casey, Segal, Erickson, Logan, Fults and Geiger. Abstentions – Nation. Nays – None. Whereupon Mayor Nations declared Bill No. 2739 approved, passed it and it became **ORDINANCE NO. 2565.**

BILL NO. 2740 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2469 AND REPLACES IT WITH A NEW ORDINANCE WITH AMENDMENTS RELATIVE TO OVERALL OPENSOURCE, MAXIMUM BUILDING SQUARE FOOTAGE AND BUILDING HEIGHT IN RIVER CROSSINGS, A “PC” PLANNED COMMERCIAL DISTRICT-ZONED DEVELOPMENT LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, AT ITS INTERSECTION WITH ARNAGE BOULEVARD. (P.Z. 05-2009 RIVER CROSSINGS/LOT C, HOLIDAY INN AND SUITES) (**SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2740. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2740 was read for the second time.

Councilmember Fults made a motion, seconded by Councilmember Casey, to amend Bill No. 2740, Attachment A, I. SPECIFIC CRITERIA, Section R, MISCELLANEOUS, by adding the following:

6. The developable gross floor area for this development is established at a maximum 189,000 square feet, based upon performance requirements for open space setbacks, parking and building height contained herein. No amendment to these performance standards will be considered for the purpose of achieving the maximum developable gross floor area.

A voice vote was taken with an affirmative result (Councilmember Flachsbart voted “no”) and the motion was declared passed. A roll call vote was taken for the passage and approval of Bill No. 2740, as amended, with the following results: Ayes – Segal, Geiger, Erickson, Casey, Nation, Fults and Logan. Nays – Flachsbart. Whereupon Mayor Nations declared Bill No. 2740 approved, passed it and it became **ORDINANCE NO. 2566**.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:22 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggier, City Clerk