



RECORD OF PROCEEDING

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

AUGUST 4, 2008

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 Barry Flachsbart
Councilmember Gene Schenberg
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

None

APPROVAL OF MINUTES

The minutes of the July 21, 2008, City Council meeting were submitted for approval. Councilmember Geiger made a motion, seconded by Councilmember Nation, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

William Joyce, attorney for the petitioner, stated that, as a representative of Cricket Communications, he was available to answer any questions regarding T.S.P. 02-2008 (Cricket Communications (St. Louis Co. Water Company)).

INTRODUCTORY REMARKS

Mayor Nations announced that the next meeting of City Council has been scheduled for Monday, August 18, at 7 p.m.

Mayor Nations next encouraged the community to participate in “National Night Out” on Tuesday, August 5.

Mayor Nations next provided an explanation of how business is conducted at a City Council meeting to the Scouts in attendance at tonight’s meeting.

COUNCIL COMMITTEE REPORTS

Planning/ Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2650 (Changes the name of a portion of Chesterfield Airport Road to South Outer Forty Road), Bill No. 2651 (Restricts parking on Conway Road) and Bill No. 2652 (Restricts parking on Nooning Tree Drive) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Hurt next made a motion, seconded by Councilmember Casey, to approve T.S.P. 02-2008 (Cricket Communications (St. Louis Co. Water Company)). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next made a motion, seconded by Councilmember Casey, to approve the Proposed Change Order with Gershenson Construction, in an amount not to exceed \$60,000, for sidewalk construction on the north side of Clayton Road, from Rue De Gascony, located west of Schoettler Road to Village Green Parkway. Councilmember Geiger stated that he felt that this sidewalk construction is “the right thing to do” but also felt that MoDOT should be the governmental agency paying for this sidewalk construction, instead of the City of Chesterfield. Councilmember Hurt pointed out that MoDOT had agreed to accept this sidewalk for maintenance, once it has been constructed. A voice vote was taken with an affirmative result (Councilmember Geiger voted “No”) and the motion was declared passed.

Councilmember Geiger, Vice-Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Erickson, to direct that the “Residential Street Tree Program” proposal be forwarded to City Council for a final vote directly after

its review by the Finance & Administration Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger next made a motion, seconded by Councilmember Flachsbart, to exercise the “Power of Review”, regarding the Amended Architectural Elevations for Jared’s Jewelers (Chesterfield Mall) and to refer this item to Planning/Public Works Committee, for their meeting scheduled for August 7. 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 been scheduled for Thursday, August 7, at 5:30 p.m.

Public Health & Safety Committee

Councilmember Bob Nation, Chairperson of the Public Health & Safety Committee, reported that Bill No. 2653 (Authorizes collection of a fee to support the "Inmate Security Fund") will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Casey made a motion, seconded by Councilmember Geiger, to send Bill No. 2654 (Establishes rules re: the placement of advertising signs on vehicles in residential areas) back to the Public Health & Safety Committee for further review of “nomenclature and intent.” A voice vote was taken with an affirmative result (6-1-1 Councilmember Flachsbart voted “No” and Councilmember Nation abstained), and the motion was declared passed.

Councilmember Nation reported that the next meeting of this Committee has been scheduled for Monday, September, 15 at 7:30 a.m.

NEW BUSINESS

City Attorney Rob Heggie reported that Bill No. 2649 (Financial Disclosure) will be considered for adoption under the “Legislation” portion of the Agenda and if this bill is passed, it will eliminate the need for some City officials to file personal financial disclosures with the State’s Ethics Commission.

Councilmember Lee Erickson, Chairperson of the Finance & Administration Committee, announced that the Finance & Administration Committee meeting originally scheduled for August 11 has been rescheduled for August 25, at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that a liquor license request has been submitted by Wal-Mart Supercenter, located at 100 THF Blvd., to sell liquor in original packages and Sunday sales. Mr. Herring stated that this application has been reviewed and recommended for approval by the Department of Planning/Public Works and Police. Councilmember Casey made a motion, seconded by Councilmember Schenberg, to

approve issuance of the liquor license to Wal-Mart Supercenter. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2649 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 **(SECOND READING; CITY ATTORNEY/CITY ADMINISTRATOR RECOMMEND APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2649. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2649 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2649 with the following results: Ayes – Nation, Erickson, Hurt, Casey, Flachsbart, Schenberg, Geiger and Fults. Nays – None. Whereupon Mayor Nations declared Bill No. 2649 approved, passed it and it became **ORDINANCE NO. 2470.**

BILL NO. 2650 CHANGES THE NAME OF A PORTION OF CHESTERFIELD AIRPORT ROAD, BETWEEN CHESTERFIELD PARKWAY WEST AND CLARKSON ROAD, TO SOUTH OUTER FORTY ROAD **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2650. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2650 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2650 with the following results: Ayes – Flachsbart, Casey, Nation, Geiger, Erickson, Hurt, Fults and Schenberg. Nays – None. Whereupon Mayor Nations declared Bill No. 2650 approved, passed it and it became **ORDINANCE NO. 2471.**

BILL NO. 2651 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON CONWAY ROAD, WEST OF CHESTERFIELD PARKWAY EAST **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2651. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2651 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2651 with the following results: Ayes – Flachsbart, Erickson, Nation, Geiger, Schenberg, Fults, Hurt and Casey.

Nays – None. Whereupon Mayor Nations declared Bill No. 2651 approved, passed it and it became **ORDINANCE NO. 2472.**

BILL NO. 2652 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON NOONING TREE DRIVE (**SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2652. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2652 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2652 with the following results: Ayes – Casey, Schenberg, Geiger, Flachsbart, Hurt, Nation, Erickson and Fults. Nays – None. Whereupon Mayor Nations declared Bill No. 2652 approved, passed it and it became **ORDINANCE NO. 2473.**

BILL NO. 2653 IMPOSES AND ALLOWS FOR THE COLLECTION OF AN ADDITIONAL COURT COST ON ALL MATTERS FILED IN THE MUNICIPAL DIVISION OF THE CITY OF CHESTERFIELD COURT FOR REMITTANCE TO THE INMATE SECURITY FUND (**SECOND READING; PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Nation made a motion, seconded by Councilmember Schenberg, for a second reading of Bill No. 2653. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2653 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2653 with the following results: Ayes – Nation, Geiger, Fults, Flachsbart, Schenberg, Erickson, Casey and Hurt. Nays – None. Whereupon Mayor Nations declared Bill No. 2653 approved, passed it and it became **ORDINANCE NO. 2474.**

ADDITIONAL COMMUNICATIONS

City Administrator Mike Herring announced that a public hearing will be held prior to the August 18, 2008 City Council meeting, during which Staff will propose a 33% reduction to the City's current property tax rate, from \$.06/\$100 of assessed valuation to \$.04/\$100 of assessed valuation. This is due, primarily, to the significant growth in property values, in Chesterfield.

Councilmember Hurt wished Councilmember Schenberg a "Happy Birthday" today, August 4, and wished Councilmember Casey a "Happy Birthday" on August 17.

Mayor Nations encouraged everyone in attendance to vote in the August 5 Primary Election.

ADJOURNMENT

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

Mayor John Nations

ATTEST:

Judith A. Naggiar, City Clerk