



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 16052 SWINGLEY RIDGE ROAD
JULY 19, 1999

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 Larry Grosser
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley
Councilmember Mary K. Brown

ABSENT

None

Mayor Nancy Greenwood led the Pledge of Allegiance.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the June 21, 1999, City Council meeting were submitted for approval. Councilmember Grosser made a motion to approve the City Council minutes Councilmember Durrell 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 City of Chesterfield, Chesterfield Fire Protection District, West County YMCA, Jewish Community Center, United Hebrew Temple, Chesterfield Community Development Corporation, Chesterfield Chamber of Commerce and the Parkway School District were sponsoring a special CPR program called “TLC – Together for Life in Chesterfield.” Classes will be offered in the fall at a variety of times/dates.

COMMUNICATIONS AND PETITIONS

Hefty Hoffman, who resides at 14308 Conway Meadows Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Harvey Present, who resides at 1073 Appalachian Trail and represents the Shenandoah Subdivision, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Norma Lockman, who resides at 10 Rimbey Court, commented on her interactions with a few of the elected and appointed officials and City personnel.

Esther Sheppard, who resides at 826 Judson Manor Drive, expressed concern with regard to Midwest Waste Management policies.

Melanie Trimmer, who resides at 1305 Conway Oaks, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Mary Fanning, who resides at 1276 Winema Drive, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Inge Semple, who resides at 310 Morristown Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Eleanor Long, who resides at 208 Ambridge Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Rachel Miller, who resides at 14120 Baywood Village Drive, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Bill Schnarr, who resides at 14309 Open Meadow Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Lynne Johnson, who resides at 15125 Conway Road, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Catherine Williamson, who resides at 14895 Conway Road, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Paula Gianino, who resides at 14895 Conway Road, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Kevin Kinealy, who resides at 14842 Rutland Circle, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Richard Drews, who resides at 14905 Conway Glen Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Stephen L. Kling, 10 S. Brentwood Blvd., attorney for several subdivisions and individuals, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

John McDonald, who resides at 1332 Amherst Terrace Way, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Allen Garber, who resides at 14308 Conway Meadows Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Suzanne Hoffman, who resides at 14308 Conway Meadows Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Debbie Himmelsbach, who resides at 14829 Conway Road, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties and concern regarding the lighting of several of the existing buildings in that area.

Dr. Gary Bachman, who resides at 1604 Baxter Forest Ridge Court, expressed opposition to Bill No. 1682, regarding the use of bows and arrows.

Jay Kirschbaum, who resides at 1520 Woodroyal East Drive, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Lee Wall, who resides at 14759 Plumas Drive, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Elliott Alper, who resides at 1243 Luray Drive, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Pam Copeland, who resides at 15128 Amherst Green Court, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Jan Misurara, who resides at 1414 Sycamore Manor, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

Laura Lueking, who resides at 15021 Conway Road, expressed opposition to Bill No. 1698, P.Z. 30-98, Sachs Properties.

David Friedman, who resides at 1344 Amherst Terrace Way, expressed opposition to Bill No.

1698, P.Z. 30-98, Sachs Properties.

Steve Koslovsky, 231 S. Beminston and attorney for the petitioner, expressed support for Bill No. 1698, P.Z. 30-98, Sachs Properties.

Louis Sachs, 400 Chesterfield Center, expressed support for Bill No. 1698, P.Z. 30-98, Sachs Properties.

APPOINTMENTS

Mayor Greenwood nominated Mr. Bruce Geiger as a member of the TIF Commission. Councilmember Casey made a motion to approve the nomination. Councilmember Streeter seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Geiger's term will expire May 3, 2001.

A motion was made at this time by Councilmember Flachsbart to suspend the rules in order to address recommendations from the Planning and Zoning Committee and, in particular, Bill No. 1698 regarding P.Z. 30-98, Sachs Properties, Inc. A voice vote was taken with a unanimous result and the motion was declared passed. Lengthy discussion ensued regarding Bill No. 1698. Councilmember Brown made a motion to hold this legislation and refer it to the Planning and Zoning Committee for further review. Councilmember Flachsbart seconded the motion. A roll call vote was taken with the following results: Ayes – Durrell, Casey, Flachsbart, Brown, Hurt, Streeter, Tilley. Nays – Grosser. The motion was declared passed.

Mayor Greenwood recessed the meeting at 8:35 p.m.

Mayor Greenwood reconvened the meeting at 8:45 p.m.

Councilmember Barry Streeter left the meeting at this time.

Councilmember Brown reported that Bill No. 1695 (P.Z. 7-99, Central City Park), Bill No. 1696 (P.Z. 8-99, Chesterfield Valley Athletic Complex), Bill No. 1697 (P.Z. 9-99, Railroad Park), Bill No. 1701 (P.Z.11-99, Swingley Ridge Development II, L.L.C. Nardin Tract) and Bill No. 1699 (record plat for Spirit Trade Center Plat II) will be considered for adoption under the Legislation portion of the agenda.

Councilmember Brown next reported that the Planning Department is requesting to re-establish the position of Planning Technician for code enforcement. Councilmember Brown made a motion to re-establish the position of Planning Technician for code enforcement of City violations at a salary of \$15, 000 per year. Councilmember Tilley seconded the motion. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for July 22 at 5:30 p.m.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1689 (restricts smoking in public parks will be read for the second time and Bill No. 1693 (installation of fire hydrants in Arrowhead Estates and Chesterfield Commons) will have both readings under the Legislation portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for July 27 at 5:30 p.m.

Finance and Administration Committee

On behalf of Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, Councilmember Dan Hurt, Vice-Chairperson reported that Bill No. 1685 (amends the retirement plan regarding representation on the Board of Trustees) will be read for the second time and Bill No. 1694 (procedures regarding budget transfers) will be read for the first time under the Legislation portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for July 27 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, made a motion to refer Bill No. 1682, which regulates the use of bows and arrows, to the Committee for further review. Councilmember Flachsbart seconded the motion. Councilmember Hurt offered several suggestions to amend the bill. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Councilmember Casey next reported that Bill No. 1683 and 1684 (restricts parking on Wellington Estates Drive and Wellington Manor respectively) will be read for the second and Bill No. 1691 (prohibits open alcohol containers in motor vehicles) and Bill No. 1692 (creates new offenses regarding violation of ex parte or full orders of protection) will be read for the first time under the Legislation portion of the agenda.

REPORT OF THE CITY ADMINISTRATOR

Councilmember Flachsbart left the meeting at this time.

City Administrator Mike Herring reported that the next issue of the Chesterfield Citizen newsletter is scheduled to be delivered the first week in August.

Mr. Herring reported that liquor license requests from Bond's of Chesterfield Valley, located at 280 Long Road and Gerber Gardens and Florist, located at 115 Hilltown Village Center,

have been received. Bond's of Chesterfield is requesting to sell all kinds of liquor by the drink to be consumed on the premise and Sunday sales. The fee will be prorated to June 30, 2000. Gerber Gardens and Florist is requesting to sell all kinds of intoxicating liquor in the original packages, not to be consumed on the premises. The fee will be prorated to June 30, 2000. These applications have been reviewed and approved by the Police and Planning Departments. Councilmember Brown made a motion to approve issuance of a liquor license to Bond's of Chesterfield to sell all kinds of liquor by the drink to be consumed on the premise and Sunday sales. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Councilmember Casey made a motion to approve issuance of a liquor license to Gerber Gardens and Florist to sell all kinds of intoxicating liquor in the original packages, not to be consumed on the premises. Councilmember Grosser seconded the motion. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Streeter were not in attendance) and the motion was declared passed.

Mr. Herring next reported that he joins with Director of Public Works/City Engineer Mike Geisel in recommending that City Council authorize a contract, in an amount not to exceed \$20,000, with EDM, Inc., for the design of stormsewer improvements between the Baxter Village and Baxter Lakes subdivisions. Adequate funds exist within the FY1999 Budget to cover this expense. Councilmember Casey made a motion to approve a contract with EDM, Inc., for the design of stormsewer improvements between the Baxter Village and Baxter Lakes subdivisions, in an amount not to exceed \$20,000. Councilmember Brown seconded the motion. (Councilmember Flachsbart returned to the meeting.) A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Mr. Herring noted that a recommendation has previously approved by City Council for the use of \$215,000 for professional inspection services in conjunction with "R" & "S" projects during 1999, and indicated that it is desirable at this time to add a fourth firm to the list of approved firms with whom the City of Chesterfield could contract to expend these funds during this current construction season. That additional firm would be SCI Engineering. No additional funds are being requested; however, it is necessary for City Council to approve the addition of this fourth firm. Mr. Herring joined with Mr. Geisel in recommending the addition of SCI Engineering to the list of approved firms. Councilmember Casey made a motion to add the firm of SCI Engineering to the list of approved firms with whom the City could contract to expend funds during the current construction season. Councilmember Grosser seconded the motion. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of a new alignment machine, for use within our Public Works Maintenance facility. Having reviewed the recommendation submitted by Mr. Geisel, he joined with him in recommending acceptance of the low bid submitted by Earl Nation, Inc., which, when including the trade-in allowance of \$500, results in a net total cost to the City of \$21,700. Adequate funds exist within the FY1999 Budget to cover this expense. Councilmember Flachsbart made a motion to accept the low bid submitted by Earl Nation, Inc., in a net total cost of \$21,700, for the purchase of a new alignment machine. Councilmember Grosser seconded the motion. A voice vote was

taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Mr. Herring next reported that he recommends award of a contract, in an amount not to exceed \$132,500, to D. Bennish Construction Company, for the removal and replacement of sidewalk slabs in various locations throughout the City. He joined with Mr. Geisel in recommending that D. Bennish Construction Company be awarded the contract in an amount not to exceed \$132,500 for the removal and replacement of sidewalk slabs. Councilmember Casey made a motion, seconded by Councilmember Grosser, to approve the contract, in an amount not to exceed \$132,500, to D. Bennish Construction Company for sidewalk repairs. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel has recommended award of a contract, in an amount not to exceed \$40,000, to Gershenson Company, Inc., for three (3) stormwater projects: 15750 Old Clarkson, 14627 Summer Blossom Lane and 15154 Parliament Drive. Adequate funds exist within the FY1999 Budget to cover the costs of these projects. He joined with Mr. Geisel in recommending award of the contracts for these three (3) stormwater projects to Gershenson Company. Councilmember Flachsbart made a motion to award a contract, in an amount not to exceed \$40,000, to Gershenson Company, Inc., for three (3) stormwater projects: 15750 Old Clarkson, 14627 Summer Blossom Lane and 15154 Parliament Drive. Councilmember Grosser seconded the motion. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

Mr. Herring next recommended award of a contract, in an amount not to exceed \$380,000, to Ford Asphalt, for asphalt overlays and base repairs on various streets throughout the City. It was noted that the bulk of this contractual work will be performed on Appalachian Trail, located within Ward II. Mr. Herring joined with Mr. Geisel in recommending approval of a contract with Ford Asphalt, in an amount not to exceed \$380,000. Adequate funds exist within the FY1999 Budget to cover this expense. Councilmember Flachsbart made a motion to approve the contract with Ford Asphalt, in an amount not to exceed \$380,000 for asphalt overlays. A voice vote was taken with an affirmative result (Councilmember Streeter was not in attendance) and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1689	AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1144 SECTION 21-107, RELATING TO THE LIMITATIONS TO SMOKING IN PUBLIC PLACES (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)
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Councilmember Flachsbart made a motion, seconded by Councilmember Grosser, for a

second reading of Bill No. 1689. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1689 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1689, with the following results: Ayes – Tilley, Flachsbart, Hurt, Casey, Durrell, Brown Grosser. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No. 1689 approved, passed it and it became **ORDINANCE NO. 1527.**

BILL NO. 1693 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN THE ARROWHEAD ESTATES AND CHESTERFIELD COMMONS (RHL DRIVE AND THF BOULEVARD) LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READINGS - PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Grosser, for the first reading of Bill No. 1693. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1693 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1693. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1693 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1693, with the following results: Ayes – Tilley, Durrell, Grosser, Flachsbart, Casey, Brown Hurt. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No. 1693 approved, passed it and it became **ORDINANCE NO. 1528.**

BILL NO. 1683 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON WELLINGTON ESTATES DRIVE (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Hurt, for a second reading of Bill No. 1683. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1683 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1683, with the following results: Ayes – Tilley, Durrell, Casey, Grosser, Flachsbart, Brown, Hurt. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No.1683 approved, passed it and it became **ORDINANCE NO.1529.**

BILL NO. 1684 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON WELLINGTON MANOR (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No.1684. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1684 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1684, with the following results: Ayes – Flachsbart, Tilley, Brown, Casey, Hurt, Durrell, Grosser. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No. 1684 approved, passed it and it became **ORDINANCE NO. 1530.**

BILL NO. 1691 PROHIBITS THE PASSENGER IN A MOTOR VEHICLE FROM HAVING OPEN ALCOHOL CONTAINERS IN THAT MOTOR VEHICLE (**FIRST READING** – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No.1691 . A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1691 was read for the first time.

BILL NO. 1692 CREATES A NEW OFFENSE TO BE KNOWN AS A VIOLATION OF AN EX PARTE OR FULL ORDER OF PROTECTION; CREATING A NEW ORDINANCE VIOLATION RELATING TO STALKING AND TO REPEAL AND TO REDEFINE THE OFFENSE OF HARASSMENT BY REPEALING ORDINANCE NO. 60 SECTION I AND CREATING A NEW ORDINANCE THERETO (**FIRST READING** – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1692. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1692 was read for the first time.

BILL NO. 1685 AMENDS ORDINANCE NO. 809 OF THE CITY OF CHESTERFIELD RETIREMENT PLAN SUMMARY PLAN DESCRIPTION BY DELETING CHAPTER II (4) OF “EXHIBIT B” AND SUBSTITUTING, IN LIEU THEREOF, A NEW CHAPTER II (4) OF “EXHIBIT B” AS REQUESTED IN THE ATTACHED EXHIBIT I TO THIS ORDINANCE (**SECOND READING** – FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Tilley, for a second reading of Bill No.1685. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1685 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1685, with the following results: Ayes – Tilley, Brown, Durrell, Grosser, Flachsbart, Hurt, Casey. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No. 1685 approved,

passed it and it became **ORDINANCE NO. 1531.**

BILL NO. 1694 AMENDS ORDINANCE NO. 10, NO. 325 AND NO. 799 WHICH ESTABLISHES BUDGETING PROCEDURES FOR THE CITY OF CHESTERFIELD BY INCREASING THE LIMITS FOR BUDGET TRANSFERS (**FIRST READING - FINANCE AND ADMINISTRATION COMMITTEE**)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1694. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1694 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1695 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-5” RESIDENCE DISTRICT TO A “PS” PARK AND SCENIC DISTRICT FOR A 34.0 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF LYDIA HILL AND WEST OF CHESTERFIELD PARKWAY WEST (P.Z. 7-99, CENTRAL CITY PARK) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1695. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1695 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1695. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1695 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1695, with the following results: Ayes – Grosser, Durrell, Brown, Casey, Hurt, Flachsbart, Tilley. Nays - None. (Councilmember Streeter was not in attendance.) Whereupon Mayor Greenwood declared Bill No. 1695 approved, passed it and it became **ORDINANCE NO. 1532.**

Councilmember Streeter returned to the meeting at 9:15 p.m..

BILL NO. 1696 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C-8” PLANNED COMMERCIAL DISTRICT AND A “FPM-3” FLOOD PLAIN PLANNED INDUSTRIAL DISTRICT TO A “PS” PARK AND SCENIC DISTRICT FOR A 103.0 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF NORTH OUTER FORTY DRIVE AND EAST OF SPIRIT OF ST. LOUIS BOULEVARD (P.Z. 8-99, CHESTERFIELD VALLEY ATHLETIC COMPLEX) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1696. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1696 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1696. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1696 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1696, with the following results: Ayes – Hurt, Flachsbart, Streeter, Casey, Tilley, Brown, Grosser, Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1696 approved, passed it and it became **ORDINANCE NO. 1533.**

BILL NO. 1697 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “FPNU” FLOOD PLAIN NON-URBAN DISTRICT TO A “PS” PARK AND SCENIC DISTRICT FOR A 33.3 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF ST. LOUIS SOUTHWESTERN RAILROAD RIGHT-OF-WAY AND EAST OF LONG ROAD (P.Z. 9-99, RAILROAD PARK) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No.1697 . A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1697 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No.1697. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1697 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1697, with the following results: Ayes – Brown, Streeter, Grosser, Flachsbart, Durrell, Hurt, Tilley, Casey. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1697 approved, passed it and it became **ORDINANCE NO. 1534.**

BILL NO. 1699 PROVIDES FOR THE APPROVAL OF THE SUBDIVISION PLAT FOR SPIRIT TRADE CENTER PLAT II, A TRACT OF LAND BEING LOT 4 OF “SPENCER TYLER’S SUBDIVISION” LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD, WEST OF CHESTERFIELD INDUSTRIAL BOULEVARD AND EAST OF SPIRIT DRIVE (P. C. 91-88, THE SITE MAN ORGANIZATION) (PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1699. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1699 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1699. A voice vote was taken with a unanimous affirmative result and

the motion was declared passed. Bill No. 1699 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1699, with the following results: Ayes – Flachsbart, Grosser, Hurt, Tilley, Brown, Casey, Durrell, Streeter. Nays - None. Whereupon Mayor Greenwood declared Bill No.1699 approved, passed it and it became **ORDINANCE NO. 1535.**

BILL NO. 1701 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “R-2” 15,000 SQ. FT. RESIDENCE DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR A 4.6 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF NARDIN DRIVE, NORTH OF SWINGLEY RIDGE ROAD (P.Z. 11-99, SWINGLEY RIDGE DEVELOPMENT II, L.L.C.) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1701. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1701 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No.1701. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1701 was read for the second time. Councilmember Streeter made a motion to amend Attachment A to require access to Nardin Drive. The motion was seconded by Councilmember Flachsbart. A roll call vote was taken with the following results: Ayes – Casey, Hurt, Flachsbart, Streeter, Grosser. Nays – Durrell, Tilley, Brown. Mayor Greenwood declared the motion passed. Councilmember Durrell expressed concern that the residents on Nardin Drive were not in favor of commercial development. As a result, Councilmember Brown made a motion, seconded by Councilmember Tilley, to suspend the rules to permit a resident who lives at 145 Nardin Drive, Don Toone, to address the Council. A voice vote was taken with an affirmative result (Councilmember Flachsbart voted “No”) and the motion was declared passed. Mr. Toone spoke on behalf of his neighbors and assured City Council that the residents on Nardin Drive are in favor of commercial development and support passage of Bill No. 1701. A roll call vote was taken for passage and approval of Bill No. 1701, as amended, with the following results: Ayes – Casey, Durrell, Flachsbart, Streeter, Tilley, Hurt, Grosser, Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1701 approved, passed it and it became **ORDINANCE NO. 1536.**

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting to go into Executive Session (closed meeting) for the purpose of discussing RSMo Section 610.021 (1) legal matters and RSMo Section 610.021 (2) property acquisition. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Grosser seconded the motion. A roll call vote was taken with the following results: Ayes – Hurt, Durrell, Flachsbart, Tilley, Brown, Grosser, Casey. Nays – None. Councilmember Streeter left the meeting. Mayor Greenwood declared the motion passed. The meeting was adjourned at 9:40 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk