



## RECORD OF PROCEEDING

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

**July 17, 2006**

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The meeting was called to order at 7:07 p.m.

Mayor Nations led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

#### **INTRODUCTORY REMARKS**

Mayor Nations recognized the 150<sup>th</sup> Anniversary of the Sisters of Mercy. Mr. Mike Doyle, representing the Sisters of Mercy, was presented with a Proclamation recognizing the organization's milestone anniversary and its many services to the region's residents over the last 150 years.

Ms. Melinda McAliney, immediate Past President of the Junior League of St. Louis, along with Susan Schenberg, member of the Junior League, gave an overview of the Junior League's mission. They acknowledged the City's generous hospitality in providing training space in-kind to the Junior League for its classes. In May, 2006, the Junior League Board of Directors selected the City to receive an award recognizing its support of the League's mission and training efforts. Mayor Nations was presented with the award from the Junior League and thanked for his support of the League's community service.

#### **ROLL CALL**

A roll call was taken with the following results:

## PRESENT

Mayor John Nations  
Councilmember Jane Durrell  
Councilmember Bruce Geiger  
Councilmember Barry Streeter  
Councilmember Mike Casey  
Councilmember Mary K. Brown  
Councilmember Connie Fults

## ABSENT

Councilmember Barry Flachsbart  
Councilmember Dan Hurt

## APPROVAL OF MINUTES

The minutes of the June 19, 2006, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## ANNOUNCEMENTS

Mayor Nations reported that the City had its first Fourth of July celebration on July 4<sup>th</sup> and has received many positive comments about the event. He acknowledged the coordinated efforts of the Police Department, the Public Works Department, and the Parks Division for their outstanding job in connection with the celebration.

Mayor Nations announced that on August 1 the City will be encouraging participation in “National Night Out”. Neighborhoods interested in participating should contact the Chesterfield Police Department.

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

## COMMUNICATIONS AND PETITIONS

Darcy Capstick, Co-Chair for the Citizens Committee for the Environment, gave a presentation of the Committee’s work in helping to develop ten sustainable e-cycle host sites throughout the region where citizens can e-cycle electronics. Ms. Capstick presented the Mayor with the award the Committee had received from the St. Louis Jefferson Solid Waste Management District and Missouri Recycling Association for its work as a partner of the St. Louis Regional E-cycle Task Force. The Mayor and City were thanked for their efforts in e-cycling in the City of Chesterfield.

Linda McDonald, 14328 Spyglass Ridge, expressed her support in having the City construct a dog park. She stated that she and other residents are willing to volunteer their time for such an effort.

Mike Seamands, representing U.S. Cellular, 714 Locust Street, St. Louis stated he was available for questions pertaining to Bill No. 2463.

## **APPOINTMENTS**

Mayor Nations nominated the following individuals for re-appointment: Laura Lueking, (Ward 2) to the Board of Adjustment (term expires 7/17/2011); Mike Comens (Ward 1) to the Finance & Administration Citizens Advisory Committee (term expires 7/17/2009); Alice Fugate (Ward 1) and Kathy Goldner (Ward 1) to the Landmarks Preservation Commission (terms expire 7/17/2009). A motion was made by Councilmember Streeter, seconded by Councilmember Geiger, to re-appoint the above-nominated individuals. A voice vote was taken with an affirmative result and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2460, with amendments, [P.Z. 6-2006 City of Chesterfield (“WH” Wild Horse Creek Road Overlay)]; Bill No. 2462, [P.Z. 7-2006 City of Chesterfield (Dierberg Meditation Park)]; and Bill No. 2463, with amendments, [P.Z. 13-2006 City of Chesterfield (Drury Development Corporation)] are all scheduled for first reading approval, under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Brown next reported that Bill No. 2464 [Vacation of Utility Easement (Herman Stemme – Otis and Clark properties)] and Bill No. 2465 [Boundary Adjustment Plat – Stoneridge Medical Office Building Development] will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Brown next made a motion, seconded by Councilmember Casey, to hold Bill No. 2466 [Names or Re-names Streets along Chesterfield Airport Road], until the August 7<sup>th</sup> City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

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

### **Public Works/Parks Committee**

Councilmember Jane Durrell, Vice-Chairperson of the Public Works/Parks Committee, reported that Bill No. 2461 [Repeals Ordinance 1063 as Embodied in Chapter 14, Flood Damage Prevention] is scheduled for first reading approval, under the “Legislation” portion of the Agenda.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that Wapango, located at 2020 Chesterfield Mall, is requesting a liquor license to sell all kinds of liquor, by-the-drink and Sunday sales. This application has been reviewed and is recommended for approval by both the Department of Planning and Police. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve the liquor license request for Wapango. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that each year the City receives an allocation of funds from the St. Louis County Department of Community Development. This year's allocation is \$41,998 and it is recommended that this money be spent to construct handicapped access ramps along the sidewalks within the vicinity of Kehrs Mill Elementary School. Mr. Herring noted that he joined with Director of Public Works/City Engineer Mike Geisel in recommending award of a contract to Amcon Municipal Concrete, in an amount not to exceed \$41,998, with the understanding that the entire amount is to be funded by Community Development Block Grant funds. Councilmember Casey made a motion, seconded by Councilmember Brown, to award the contract to Amcon Municipal Concrete, in an amount not to exceed \$41,998. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next discussed his recommendation to purchase "Web Track" Real-Time Internet Software, from Vermont Systems, at a total cost of \$13,713. Mr. Herring also recommended the purchase of a server from the State contract, totaling \$6,000 – for a total cost of \$19,713. Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel in recommending that this purchase be made from interest expected to be earned from Proposition "P" bond proceeds. It is estimated that approximately \$38,000 will be earned in bond proceeds, during FY2006. Councilmember Casey made a motion, seconded by Councilmember Geiger, to award the contract to Vermont Systems in an amount not to exceed \$13,713 and to authorize an additional \$6,000 for the purchase of a server, from the State contract. The total of \$19,713 will come from Proposition "P" bond proceeds, as recommended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

### **Public Health & Safety Committee**

Councilmember Streeter made a motion, seconded by Councilmember Casey, to suspend the rules to consider a request from the current Drug Abuse Task Force to change its name to Chesterfield Alliance for Positive Youth. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter then made a motion, seconded by Councilmember Casey, to allow the Drug Abuse Task Force to rename its committee "Chesterfield Alliance for Positive Youth". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **LEGISLATION**

### **BILL NO. 2461**

REPEALS ORDINANCE 1063 AS EMBODIED IN CHAPTER 14, FLOOD DAMAGE PREVENTION, OF THE CITY CODE AND REPLACES IT WITH A NEW CHAPTER 14 WITH ADDITIONAL REQUIREMENTS RELATIVE TO ELEVATION OF STRUCTURES, SUPPLEMENTAL PROTECTION AREAS AND THE CHESTERFIELD VALLEY MASTER STORM WATER PLAN MODEL (**FIRST READING – PUBLIC WORK/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Durrell made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2461. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2461 was read for the first time.

## **LEGISLATION – PLANNING COMMISSION**

### **BILL NO. 2460**

ESTABLISHES A NEW SECTION 1003.110 “WH” WILD HORSE CREEK ROAD OVERLAY. SAID NEW SECTION PROVIDES GENERAL AND SPECIFIC DEVELOPMENT CRITERIA FOR ALL PROPERTIES IN THE AREA KNOWN AS THE “WILD HORSE CREEK ROAD SUB - AREA” IN THE CITY OF CHESTERFIELD COMPREHENSIVE PLAN (P.Z. 6-2006, CITY OF CHESTERFIELD/”WH” WILD HORSE CREEK ROAD OVERLAY) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2460. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2460 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Fults, to amend page 3, Section C. (9.) of Section 1003.110 by adding the phrase: “within the Neighborhood Office District”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **BILL NO. 2462**

AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R2” RESIDENCE DISTRICT TO A “PS” PARK AND SCENIC DISTRICT FOR A 1.875-ACRE TRACT LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD AT ITS INTERSECTION WITH RIVER

VALLEY DRIVE (P.Z. 7-2006, CITY OF  
CHESTERFIELD/DIERBERG'S MEDITATION PARK)  
**(FIRST READING – PLANNING COMMISSION  
RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2462. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2462 was read for the first time.

**BILL NO. 2463** AMENDS CITY OF CHESTERFIELD ORDINANCE 2173  
TO PERMIT PLACEMENT OF DISGUISED  
COMMUNICATIONS ANTENNA PER THE  
REQUIREMENTS OF CITY OF CHESTERFIELD  
ORDINANCE 1214 ON THE DRURY PLAZA HOTEL, A  
“PC” PLANNED COMMERCIAL DISTRICT-ZONED  
DEVELOPMENT LOCATED ADJACENT TO  
CHESTERFIELD MALL AT THE INTERSECTION OF  
CLARKSON ROAD AND U.S. HIGHWAY  
40/INTERSTATE 64 (P.Z. 13-2006, CITY OF  
CHESTERFIELD/DRURY PLAZA HOTEL) **(FIRST  
READING – PLANNING COMMISSION  
RECOMMENDS APPROVAL; PLANNING AND  
ZONING COMMITTEE RECOMMENDS APPROVAL,  
BUT ONLY IF AMENDED AS DETAILED IN THE  
ENCLOSED “GREEN SHEET”)**

Councilmember Brown made a motion, seconded by Councilmember Casey, to suspend the rules to have both the first and second readings, for Bill No. 2463. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2463. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2463 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2463. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2463 was read for the second time.

Councilmember Brown made a motion, seconded by Councilmember Casey, to approve the “blue sheet” amendment to page 2 of the Attachment A, Section D. 2. which removes the following language: “Application for uses “(i)” and “(w)” shall be as outlined in Section 1003.167(19) of the City of Chesterfield Zoning Ordinance”; and inserts “Application for uses “(j)” and “(w)” shall be as outlined in Section 1003.167(19)(5)(b)(1), (2) and (5) of 1003.167(19)(5)(c) of the City of Chesterfield Zoning Ordinance”. A voice vote was taken, with a unanimous affirmative result and the motion was declared passed. Councilmember Brown next made a motion, seconded by

Councilmember Casey, to approve the “green sheet” amendment to page 2 of the Attachment A, Section I.A.(iv) by striking “Director of Planning” and inserting “City Administrator”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 2463, as amended, with the following results: Ayes – Durrell, Streeter, Casey, Fults, Geiger, and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2463, as amended, approved, passed it and it became **ORDINANCE NO. 2281.**

**BILL NO. 2464**

VACATES A TEN (10) FOOT GENERAL UTILITY EASEMENT ON ADJUSTED LOT 3C OF A BOUNDARY ADJUSTMENT PLAT OF LOT 3B AND 3C OF THE SUBDIVISION OF HERMAN STEMME OFFICE PARK RECORDED IN P.B. 289 PG. 29 AND LOT 1 OF BOUNDARY ADJUSTMENT PLAT RECORDED IN PLAT BOOK 245 PG. 22 AND PART OF U.S. SURVEY 415 AND PART OF SECTION 10, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, STATE OF MISSOURI (HERMAN STEMME – OTIS AND CLARK PROPERTIES) **(FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2464. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2464 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2464. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2464 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 2464, with the following results: Ayes – Durrell, Brown, Fults, Casey, Geiger, and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2464 approved, passed it and it became **ORDINANCE NO. 2282.**

**BILL NO. 2465**

APPROVES A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING LOCATED ON U.S. SURVEY 369, TOWNSHIP 45 NORTH, RANGE 4 EAST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, STATE OF MISSOURI (STONERIDGE MEDICAL OFFICE BUILDING) **(FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2465. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2465 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2465. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2465 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 2465, with the following results: Ayes – Brown, Casey, Durrell, Geiger, Streeter, and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2465 approved, passed it and it became **ORDINANCE NO. 2283.**

### **RESULTS OF EXECUTIVE SESSION**

City Attorney Rob Heggie announced that, at the Executive Session preceding the City Council meeting, the City voted to approve a settlement agreement between Florida RSA, Inc., dba U.S. Cellular, and Drury Chesterfield Hotel regarding the placement of cellular antenna on top of the Drury Hotel. The case is currently pending in Federal Court and he believes the settlement is advantageous to the City.

### **ADJOURNMENT**

Mayor Nations adjourned the meeting at 7:45 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk