City of Chesterfield

RECORD OF PROCEEDING

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

July 15, 2002

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

Mayor John 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 Dan Hurt
Councilmember Barry Flachsbart	Councilmember Mary Brown
Councilmember Jane Durrell	
Councilmember Barry Streeter	
Councilmember Bruce Geiger	
Councilmember Mike Casey	
Councilmember Connie Fults	

Mayor Nations then led those in attendance in a moment of silent prayer for Councilmember Dan Hurt's mother, who passed away on this day.

APPROVAL OF MINUTES

The minutes of the June 17, 2002, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, 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 Nations reminded those in attendance that the Chamber would host another Concert in the Park Tuesday, July16 at 7 p.m. in Faust Park and encouraged everyone to attend.

Mayor Nations next announced that the next City Council meeting has been scheduled for Monday, August 5 at 7 p.m.

Mayor Nations reminded everyone to vote in the Tuesday, August 6 election.

COMMUNICATIONS AND PETITIONS

Trudy Marshall, who resides at 11868 Cynthia Drive, presented her proposed ideas for placement of her art work both inside and outside of City Hall.

Mike Doster, 17107 Chesterfield Airport Road, discussed amendments/restrictions pertaining to Bill No. 2085, P.Z. 7-2002, Chesterfield Parkway LLC.

Terry Barnes, 8027 Forsyth, stated he would answer any questions pertaining to Bill No. 2085, P.Z. 7-2002, Chesterfield Parkway LLC.

Rich Obertino, 8251 Maryland Avenue, represented Tri Architects and stated he would answer any questions pertaining to Bill No. 2085, P.Z. 7-2002, Chesterfield Parkway LLC.

Allan Politte,14972 Manor Ridge, supported the proposed artwork for the City and stated his support for the purchase of land for future parks.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2079, which authorizes an agreement with Missouri-American Water Company for acceptance of water mains and related facilities within the right-of-way of Edison Avenue, will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Wednesday, July 24 at 5:30 p.m.

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, reported that based on a market analysis survey conducted by staff, a recommendation has been developed to keep starting salaries competitive with the top five cities in St. Louis County. The new proposal would be to use the June CPI of each year to annually adjust the pay scales. The new scale would go into effect the following January. An employee's salary would be adjusted only if it fell below the new minimum pay grade. The standard 3% would be budgeted for annual merit increases, based upon performance evaluations. The advantages to this proposal are that the City would no longer be concerned with the "top five" of the marketplace and the process could be handled administratively. Councilmember Geiger made a motion, seconded by Councilmember Casey, to amend this motion to include the requirement that the Finance and Administration Committee meet on an annual basis to review the amount of dollars to be included in the following year's budget to fund performance-based salary increases (merit pool), after the June CPI number has been identified. The motion to amend passed unanimously. The original motion, as amended, was then considered for passage and approval and passed unanimously.

Councilmember Geiger next made a motion, seconded by Councilmember Streeter, to adopt Resolution No. 285, which ultimately approves the 5-year Budget. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Discussion ensued. Councilmember Streeter made a motion seconded Councilmember Flachsbart, to request that the Public Works/Parks Committee, at its next meeting, address the level of funding that should be put in the 5-year budget for the parks program. The Committee is also to consider the recommendations resulting from the parks public engagement process.

<u>Planning and Zoning Committee</u>

Councilmember Barry Streeter, Vice-Chairperson of the Planning and Zoning Committee, reported that Bill No. 2085, P.Z. 7-2002 (Walgreen's) will be read for the first time under the "Legislation- Planning Commission" portion of the agenda.

Councilmember Streeter announced that the Planning and Zoning Committee meeting, originally scheduled for Thursday, July 18 has been cancelled and rescheduled for Monday, July 29 at 5:30 p.m.

<u>REPORT OF THE CITY ADMINISTRATOR</u>

City Administrator Mike Herring reported that bids were recently sought for a project to restore a stormwater pipe discharge located behind 14159 Brittania Drive. Based on his review of the proposal, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel in recommending approval of a contract, in an amount not to exceed $68,000, with Missouri Piping. This project has been authorized for reimbursement under the State Stormwater Grant Program for up to $33,000. As a result, should the total amount ultimately spent on this project equal the $68,000 amount recommended, the actual cost to the City would only be $35,000. He further stated that adequate funds exist within the current budget to cover the entire City expense. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve the contract to Missouri Piping, in an amount not to exceed $68,000, utilizing the $33,000 reimbursement from the state grant program and the City's $35,000 participation amount. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

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LEGISLATION

BILL NO. 2079 AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH MISSOURI-AMERICAN WATER COMPANY FOR THE CONSTRUCTION AND ACCEPTANCE OF WATER MAINS AND RELATED FACILITIES WITHIN THE RIGHT-OF-WAY FOR EDISON AVENUE (**SECOND READING –** PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2079. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2079 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2079, with the following results: Ayes - Durrell, Streeter, Geiger, Flachsbart, Fults and Casey. Nays - None. Whereupon Mayor Nations declared Bill No. 2079 approved, passed it and it became **ORDINANCE NO. 1861.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2085 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "PC" PLANNED COMMERCIAL DISCTRICT AND AN "R3" 10,000 SQUARE-FOOT DISTRICT TO A "PC" PLANNED COMMERCIAL DISTRICT FOR A 2.08 ACRE TRACT OF LAND LOCATED ON CHESTERFIELD PARKWAY EAST BETWEEN SWINGLEY RIDGE ROAD AND OLIVE BOULEVARD (P.Z. 7-2002, CHESTERFIELD PARKWAY L.L.C.) (**FIRST READING -** PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS DENIAL; PLANNING AND ZONING COMMITTEE RECOMMENDS SEVERAL AMENDMENTS – SEE ATTACHED)

Councilmember Streeter made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 2085. Councilmember Flachsbart stated for the record that he owns some Walgreen's stock, but that it was a very small amount. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2085 was read for the first time. Councilmember Streeter made a motion, seconded by Councilmember Fults, to amend Attachment A, Section 1B as it relates to the definition of a "drug store," which is "a business of apothecary or druggist or pharmacy where drugs or medicines are compounded or dispensed by a state licensed pharmacist and may include the selling at retail of sundries, such as stationery, magazines, cosmetics, and assorted household goods commonly sold in supermarkets, markets and grocery stores." A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter next made a motion, seconded by Councilmember Geiger, to amend Attachment A, Section 10 Architectural Elevations, second to the last sentence shall read "and shall be in conformance with the City of Chesterfield design guidelines and the architectural guidelines set forth in Exhibit A." A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter next made a motion, seconded by Councilmember Durrell, to amend Attachment A Section V, Item 10a to add No. 8, which reads "The Planning Commission shall review the neon lighting used for the mortar and pestle, the background lighting and the color of the wall inside the glassed enclosure" and No. 9 to read "The entrance of the store shall present a residential appearance." A voice vote was taken with an affirmative result (Councilmember Casey voted "no") and the motion was declared passed. Councilmember Streeter made a motion, seconded by Councilmember Geiger, to amend Section V, Item 11a "Power of Review" by deleting this paragraph in its entirety and replacing it with "The Site Development Plan will have an automatic review by the City Council. The City Council will then take appropriate action relative to the proposal." A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter stated that the Planning and Zoning Committee discussed the shared entrance with Taco Bell and the possibility of restricting the exit to be a right turn only, but that he would offer no motions regarding this issue at this time. Councilmember Streeter made a motion, seconded by Councilmember Geiger, with regard to the three potential cross-access proposals that under Section V. Site Specific Criteria, Section IV Access, Item e. "To provide for cross access to the south of the parcel as approved by the Department of Planning and Department of Public Works and subject to the approval of the City Council." A roll call vote was taken with the following the results: Ayes - Fults, Geiger, Streeter and Durrell. Nays - Casey and Flachsbart. Whereupon Mayor Nations declared the motion passed. Bill No. 2085 is scheduled for a second reading on August 5, 2002.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:53 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk