



RECORD OF PROCEEDING

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

June 20, 2005

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 Jane Durrell
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Connie Fults

ABSENT

Councilmember Barry Flachsbart
Councilmember Barry Streeter

APPROVAL OF MINUTES

The minutes of the June 6, 2005, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Fults, 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 John Nations deferred to Councilmember Mary Brown who announced that Chesterfield's First Annual Garden Tour, sponsored/coordinated by the City's Beautification Committee, is scheduled for Saturday, June 25. According to

Councilmember Brown, six gardens will be on display and advanced ticket sales are going very well.

Councilmember Brown also announced the Art in the Park event which is scheduled for June 25, as well. She encouraged everyone in attendance to participate in this event which will end with a free concert at 7 p.m. in Faust Park.

Mayor Nations announced that City Hall would be closed on Monday, July 4 in observance of Independence Day and that the next meeting of City Council has been scheduled for July 18 at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mayor Nations recognized Chief of Police Ray Johnson who presented a “Citizen Service Award” to Daniel Williams and a “Chief’s Commendation” to Police Officer Dennis Struebing for their heroic efforts in rescuing a young lady whose car plunged into Creve Coeur Mill Creek. According to Chief Johnson, Mr. Williams jumped into the water and pulled the victim from her car, to safety. Officer Struebing arrived on the scene and administered mouth-to-mouth resuscitation.

Darcy Capstick and Ken Denson, Co-Chairpersons of the Citizens Committee for the Environment, presented City Administrator Mike Herring, who serves as Chesterfield’s Community Habitat Team Liaison, with a plaque that the City received through the efforts of the Citizens Committee for the Environment achieving Wildlife Federation Certification for the community. In addition, Ms. Capstick and Mr. Denson next introduced Garry Gilliam, Manager of Resource Management Company, and Richard Wierzba, President of Armstrong Environmental, as partners who create sustainable conservation opportunities for the community.

Wendy Geckeler, who resides at 27 Chesterfield Lakes Road, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Lee Wall, who resides at 14759 Pluman Drive, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Linda Tilley, who resides at 1926 Grayson Ridge, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Rene Heney, a resident of Wildhorse Subdivision, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

John Drake opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Stacey Rolfe, who resides at 116 Wilderness Bluff, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Judy Hart opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Steven Kling, attorney representing the Wild Horse Creek Road Association, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Rob Schulte, 640 Cepi Drive, supported the petitioner and Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Rodney Henry, 17661, 17655 and 17659 Wild Horse Creek Road, the petitioner supported the “bow tie” development and suggested the Architectural Review Board review the site development plans.

Tim Hall, 17233 Manchester Road, petitioner, supported Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Laura Lueking, 15021 Conway Road, opposed Bill No. 2359 (P.Z. 13-2004, Vision Ventures LLC and Plan Provision LLC (Wild Horse Executive Center LLC).

Mayor Nations stated that due to the amount of interest in Bill No. 2359 (P.Z. 13-2004, Vision Ventures and Plan Provisions – Wild Horse Executive Center, L.L.C.), he would entertain a motion to suspend the rules and move immediately to the “Legislation – Planning Commission” portion of the agenda, in order to consider the first reading of Bill No. 2359. Councilmember Fults made a motion, seconded by Councilmember Brown to suspend the rules to address Bill No. 2359. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2359 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR 10.243 ACRE TRACT OF LAND LOCATED NORTH OF WILD HORSE CREEK ROAD, APPROXIMATELY 500 FEET WEST OF WILDHORSE PARKWAY, LOCATOR NUMBERS 18V51-0040, 18V51-0095, 18V51-0017 (P.Z. 13-2004, VISION VENTURES AND PLAN PROVISIONS – WILD HORSE EXECUTIVE CENTER L.L.C.)
(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL OF THE CHANGES DETAILED IN THE ATTACHED “GREEN SHEETS”; PLANNING AND ZONING COMMITTEE IS

FORWARDING ENTIRE LEGISLATION WITHOUT RECOMMENDATION)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2359. Councilmember Casey stated that this legislation was forwarded to City Council without a recommendation from the Planning and Zoning Committee. He noted, however, that the “green sheet” attached to the legislation was approved and recommended for adoption, by a vote of 3-1. A voice vote was taken with an affirmative result (Councilmembers Brown and Fults voted “No”) and the motion was declared passed. Bill No. 2359 was read for the first time. Councilmember Hurt made a motion, seconded by Councilmember Casey, to direct Staff to work with the petitioner to prepare a new concept plan, in which the footprint for any one building would not exceed 6,000 sq. ft. and there would be no more than 7 buildings total, not to exceed a total of 42,000 sq. ft., along with a gabled architecture to blend with other structures in the area and that a minimum 150’ setback would be maintained, from Wildhorse Creek Road. Mayor Nations noted that since the public has attended a great deal of meetings regarding this legislation, if the motion passes, a decision will be made 10 days before the next City Council meeting as to whether or not the legislation will be on the next City Council agenda, in order to give everyone involved the opportunity to review this “new” plan. Councilmember Casey commented that the Committee felt strongly about the 150 ft. setback from Wildhorse Creek Road. After much discussion, a roll call vote was taken with the following results: Ayes – Geiger, Durrell, Casey, Brown, Hurt and Fults. Nays – None. Mayor Nations declared the motion passed. Mayor Nations stated that the items on the “green sheet” will be included in the packet as amendments proposed by the Committee and will be considered the next time Bill No. 2359 is on the agenda.

Most of those in the audience had attended the meeting, due to their interest in Bill No. 2359. Since many of those same people were now planning to leave the meeting, now that discussion regarding this proposed legislation had ended, Mayor Nations adjourned the meeting, at 8:40pm, for ten (10) minutes. The meeting was re-convened at 8:50pm.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that Bill No. 2357 (Amends budget ordinance regarding budget reporting/amending procedures) and Bill No. 2358 (Establishes licensing and regulation of adult entertainment businesses) will be read for the first time under the Legislation portion of the agenda.

Councilmember Geiger made a motion, seconded by Councilmember Brown, to suspend the rules and move to consider both Bill No. 2358 and Bill No. 2355. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

BILL NO. 2358 PROVIDES FOR THE LICENSING AND REGULATION OF ADULT ENTERTAINMENT BUSINESSES WITHIN THE CITY OF CHESTERFIELD; ESTABLISHING FEES; AND PROVIDING PENALTIES FOR VIOLATIONS (**FIRST READING – FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Durrell made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2358. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2358 was read for the first time.

BILL NO. 2355 CREATES THE ADULT ENTERTAINMENT AREA UNDER THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD (P.Z. 01-2005, CITY OF CHESTERFIELD/ADULT ENTERTAINMENT REGULATIONS) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2355. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2355 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2355, with the following results: Ayes – Durrell, Casey, Fults, Brown, Hurt and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2355 approved, passed it and it became **ORDINANCE NO. 2177**.

A motion was next made by Councilmember Casey, seconded by Councilmember Durrell, to suspend the rules and move to consider Bill No. 2354. A voice vote was taken, with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2354 AMENDS THE ORDINANCE FOR A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE “R-2” 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR AN 8.07 ACRE TRACT OF LAND, LOCATED ON THE EAST SIDE OF OLIVE BOULEVARD, NORTH OF LADUE ROAD (P.Z. 01-2000, TMH II, L.L.C.) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; AMENDED BY CITY COUNCIL AT PREVIOUS MEETING**)

Councilmember Casey made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2354. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 2354 was read for the second time. A roll call vote was taken for passage and approval of Bill No.2354, with the following results: Ayes – Hurt, Fults, Geiger, Brown, Durrell and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2354 approved, passed it and it became **ORDINANCE NO. 2178.**

COUNCIL COMMITTEE REPORTS (continued)

Public Works/Parks Committee

In the absence of Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, Mayor Nations reported that Bill No. 2361 (Accepts public streets within the Schoettler Manor Subdivision) and Bill No. 2362 (Accepts public streets within the Coventry Farm 2nd Addition) would be considered for first reading approval, under the “Legislation” portion of the Agenda.

Planning and Zoning Committee

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2360 (Boundary Adjustment Plat for Chesterfield Business Park), would be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that the Chesterfield Commons Athletic Club, located at 17375 Edison Avenue, was seeking approval for a liquor license. A motion was made by Councilmember Casey, seconded by Councilmember Geiger, to approve this liquor license request. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Mr. Herring next reported that bids were recently sought from vendors, for the delivery and construction of portable bleachers, to be used at various locations within the Chesterfield Valley Athletic Complex. The purchase of these additional bleachers was made possible by the successful passage of Proposition “P”, in November, 2004 as well as funds obtained, from various sources, for the construction of the “Miracle Field”. Having reviewed the information provided by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending that a contract be awarded to Fry and Associates, in an amount not to exceed \$43,527.53. Councilmember Brown made a motion, seconded by Councilmember Fults, to award a bid to Fry and Associates, in an amount not to exceed \$43,527.53. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for work associated with the sodding and laser leveling of Soccer Field B, which was planned in combination with the construction of the CVAC west-end improvements and the Chesterfield Miracle Field.

Having reviewed the information submitted by Mr. Geisel, Mr. Herring joined with him in recommending approval of the bid submitted by Florissant Sod Company, in an amount of \$53,780. Councilmember Casey made a motion, seconded by Councilmember Brown, to award a contract to Florissant Sod Company, in an amount of \$53,780 for the sodding and laser leveling of Soccer Field B. Funding for this project was made possible by the passage of Proposition “P”, in November, 2004, as well as donations, from various sources, for construction of the “Miracle Field”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for landscaping and irrigation work at the “Miracle Field” site, within the Chesterfield Valley Athletic Complex (CVAC). Having reviewed the information provided to him by Director of Public Works/City Engineer Mike Geisel, he joined with Mr. Geisel in recommending award of a contract to Contemporary Landscape, in an amount not to exceed \$66,590. Funding for this project comes from a variety of sources, including City dollars, grant funds and private donations. Councilmember Casey made a motion, seconded by Councilmember Geiger, to award a contract to Contemporary Landscape, in an amount not to exceed \$66,590. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of three (3) one-ton trucks, including snow plows and salt spreaders. Based upon a review of the information provided to him by Mr. Geisel, Mr. Herring joined with him in recommending award of a contract to Feld Chevrolet, in an amount not to exceed \$134,100, for the purchase of these three (3) vehicles and related equipment. Adequate funds exist within the current F.Y. 2005 Budget, to cover this entire purchase. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract to Feld Chevrolet, in an amount not to exceed \$134,100, for the purchase of these three (3) vehicles and related equipment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

**BILL NO. 2357 AN ORDINANCE AMENDING ORDINANCE NO. 10
NO. 325, NO. 799 AND NO. 1539 WHICH
ESTABLISHES BUDGET PROCEDURES FOR THE
CITY OF CHESTERFIELD. (FIRST READING –
FINANCE AND ADMINISTRATION COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Durrell made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2357. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2357 was read for the first time.

BILL NO. 2361 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETWITHIN SCHOETTLER MANOR SUBDIVISION IN THE CITY OF CHESTERFIELD (FIRST READING – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Durrell made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2361. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2361 was read for the first time.

BILL NO. 2362 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN COVENTRY FARM 2ND ADDITION SUBDIVISION IN THE CITY OF CHESTERFIELD (FIRST READING – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Durrell made a motion, seconded by Councilmember Casey, for the first reading of Bill No.2362. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2362 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2360 APPROVES A BOUNDARY ADJUSTMENT PLAT OF PART OF CHESTERFIELD BUSINESS PARK, LOT 7B AND SIXTH AMENDMENT CHESTERFIELD BUSINESS PARK, A CONDOMINIUM, CITY OF CHESTERFIELD, COUNTY OF ST. LOUIS, STATE OF MISSOURI (FIRST AND SECOND READINGS- DEPARTMENT OF PLANNING RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 2360. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2360 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2360. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2360 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2360, with the following results: Ayes - Brown, Casey, Hurt, Fults, Geiger and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2360 approved, passed it and it became **ORDINANCE NO. 2179.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 9:08 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk

.