



RECORD OF PROCEEDING

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

June 7, 2004

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

Boy Scout Troop #677 from Ellisville United Methodist Church led everyone in the Pledge of Allegiance. Mayor Nations recognized and thanked: Daniel Lamers, Tyler Davies, Jackson Ruck, Jacob Hootman, Chris Dopuch, Thomas Ferkol, David Aslin, Patrick Witthaus and Andrew Keller for their participation in this opening ceremony. Also in attendance was Troop Leader Greg Peterson. Mayor Nations presented a Proclamation to Boy Scout Troop #677, commemorating their participation.

Mayor Nations followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

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

ABSENT

None

APPROVAL OF MINUTES

The minutes of the May 17, 2004, 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 congratulated Councilmember Streeter on his birthday.

Mayor Nations invited those in attendance to the City of Chesterfield's 16th birthday celebration, on June 8 at Faust Park, spearheaded by the Chesterfield Chamber of Commerce. Concessions will open at 5:30 p.m., the Bob Kuban Band is scheduled to perform at 7 p.m., and there will be a fireworks display after the concert, sponsored by the City of Chesterfield. Mayor Nations also noted that the St. Louis Symphony will perform June 15 at the next concert at Faust Park.

Mayor Nations next extended Happy Father's Day wishes to those in attendance (June 20).

Mayor Nations announced that the next meeting of City Council has been scheduled for Monday, June 21.

Councilmember Streeter announced that Chesterfield resident, Tim Konze, was accepted to West Point Military Academy. Mayor Nations extended congratulations to Tim Konze on behalf of himself and City Council.

COMMUNICATIONS AND PETITIONS

Doug Littlefield, President and Trustee of Baxter Pointe Subdivision, addressed City Council re: Bill No. 2275 (P.Z. 4-2004 City Of Chesterfield/Residential Service Area). Mr. Littlefield expressed concern regarding CSP's on Wild Horse Creek Road and would like to keep the area retained for residential use. Discussion ensued. Mayor Nations stated that he met with MoDOT recently and confirmed that there are no plans that Wild Horse Creek Road will be widened to four lanes. Mayor Nations stated that a project that is under discussion is east of Baxter Road running from Baxter Road to the Chesterfield Parkway, which involves realignment. There will also be temporary improvements this year to add a center turn lane on Wild Horse Creek Road and to widen Kehrs Mill Road and provide a turn lane on Wild Horse Creek Road. That intersection, which includes Long Road, is scheduled for permanent improvement/realignment within the next 4-5 years. Councilmember Streeter assured Mr. Littlefield that City Council wants Wild Horse Creek Road to remain residential, in character. Discussion ensued. Councilmember Fults stated that Ward IV residents are concerned that 31 houses would be eligible for CSP's and that there is the potential heavy commercial development on Wild Horse Creek Road. Discussion ensued. Councilmember Brown stated that the Planning Commission used the correct approach that a CSP would be applicable and appropriate on four lane State highways. Discussion ensued. Mr. Littlefield stated that the Demko petition should be denied at the Planning and Zoning Committee meeting on June 10. Discussion ensued. Councilmember Brown stated that the CSP is an alternate proposal when, because of certain changes and conditions, the property may no longer be viable to be used as residential. Discussion ensued.

Jane Hopson, 5 Appaloosa Court, discussed her concerns regarding Bill No. 2275 (P.Z. 4-2004 City Of Chesterfield/Residential Service Area).

Jeff Hopson, 5 Appaloosa Court, discussed his concerns regarding Bill No. 2275 (P.Z. 4-2004 City Of Chesterfield/Residential Service Area). Following some discussion, Councilmember Flachsbart requested City Attorney Beach investigate the possibility of changing our ordinance such that once a CSP is granted, the use cannot be changed.

Mark Heller, 1303 Wildhorse Meadows, opposed Bill No. 2275 (P.Z. 4-2004 City Of Chesterfield/Residential Service Area). Mr. Heller asked for clarification regarding this proposed ordinance. City Attorney Beach stated that land use cannot be based upon “need” or “availability of alternative locations”. Mayor Nations stated, contrary to some people’s perceptions, the City of Chesterfield is the most litigated city in St. Louis County because Chesterfield’s efforts to restrict and control development.

Stephen Kling, attorney for the neighboring homeowners’ association, supported Bill No. 2273 (P.Z. 32-2003, Greater Missouri Builders – Chesterfield Crossing) and Bill No. 2274 (P.Z. 33-2003 Greater Missouri Builders – Chesterfield Crossing). He also discussed Bill No. 2275, which would establish a new Residential Service Area. He spoke in support of the removal of Wild Horse Creek Road from the areas eligible for designation. Mr. Kling found significant differences in comparing this ordinance with St. Louis County’s ordinance and stated that St. Louis County’s ordinance 1003.182 applies only to four lane or wider State or County roads. Mr. Kling stated a lot of cities do not have CSP’s and their Comprehensive Plans are able to stand court tests. Discussion ensued. Mayor Nations asked if the County ordinance has been amended since 1988 and Mr. Beach responded that the ordinance has been amended. Councilmember Flachsbart stated that he will make a motion to refer Bill No. 2775 back to the Planning and Zoning Committee to consider the items discussed by Mr. Kling at tonight’s meeting.

Eugene DeVore, representing Greater Missouri Builders, supported Bill No. 2273 (P.Z. 32-2003, Greater Missouri Builders – Chesterfield Crossing) and Bill No. 2274 (P.Z. 33-2003 Greater Missouri Builders – Chesterfield Crossing).

Jason Combs, engineer, 1910 Pine Street, supported Bill No. 2273 (P.Z. 32-2003, Greater Missouri Builders – Chesterfield Crossing) and Bill No. 2274 (P.Z. 33-2003 Greater Missouri Builders – Chesterfield Crossing).

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2280 (increases the amount chargeable as an ordinance violation for passing bad checks) will be read for the first time under the “Legislation” portion of the agenda.

Planning and Zoning Committee

Councilmember Bruce Geiger, Chairperson of the Planning and Zoning Committee, reported that two amendments will be proposed by Councilmember Streeter and City Attorney Beach for Bill No. 2271 (P.Z. 01-2004, Chesterfield Airport Acquisitions, LLC).

Councilmember Geiger next reported that Bill No. 2271 (P.Z. 01-2004, Chesterfield Airport Acquisitions, LLC), Bill No. 2273 (P.Z. 32-2003, Greater Missouri Builders – Chesterfield Crossing) and Bill No. 2274 (P.Z. 33-2003 Greater Missouri Builders – Chesterfield Crossing) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Geiger next reported that Bill No. 2275 (P.Z. 4-2004 – City of Chesterfield (Residential Service District) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for June 10 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Dan Hurt, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2276 (approves/adopts Parks and Recreation rules/regulations), will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Hurt next reported that the Public Works/Parks Committee has reviewed a recommendation to approve the Parks revised fees and charges policy to allow residents to use either a valid Missouri Driver’s License or an Official State of Missouri identification card to verify residency. Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve the proposed policy regarding revised fees and charges. A voice vote was taken with a unanimous affirmative result and the motion was declared passed

Councilmember Hurt next reported that the Public Works/Parks Committee reviewed a recommendation to approve proposed policy statements regarding updated subdivision escrows to be consistent with the recently revised subdivision ordinance. Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve the proposed policy statements regarding subdivision escrows. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next commended the members of the Public Works Citizens Advisory Group for their work to establish Bill No. 2277. Councilmember Hurt next reported that Bill No. 2277 (approves/adopts standards for driveway and street access) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Hurt next reported that Bill No. 2278 (authorizes the City Administrator to execute a contract with St. Louis County re: Mosquito Control) and Bill No. 2279 (approves fire hydrants on Kemp Auto Museum property) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt commended Director of Public Works/City Engineer Mike Geisel for his recognition as the “2004 Engineer of the Year”, which was awarded by the Missouri Chapter of the American Public Works Association.

Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to commend the Public Works Citizens Advisory Group for their work on Bill No. 2277. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. City Administrator is to prepare a letter, for signature by the Mayor, expressing City Council’s appreciation for their efforts.

Finance and Administration Committee

Councilmember Mary Brown, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for June 14 at 5:30 p.m.

Report of the City Administrator

City Administrator Mike Herring reported that Director of Public Works/City Engineer Mike Geisel recommended award of a contract for escrow attachments in five subdivisions (Cambridge Cove, Conway Ridge, Country Lake Estates, Sycamore Place and Windridge Estates) to X-L Contracting, Inc., in an amount not to exceed \$120,000. Mr. Herring joined with Mr. Geisel in making this recommendation to City Council. Award of this contract will require a transfer of \$118,800 from Fund Reserves. That amount will be combined with \$1,193.80, already recovered from one escrow holder. If the previous recommendations are approved by City Council, it is Staff’s recommendation that the \$118,800, noted above, be returned directly to Fund Reserves. Mr. Herring noted that the total escrow amount to be recovered exceeds the bid cost of the repairs. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract for escrow attachments to X-L Contracting, Inc., in an amount not to exceed \$120,000 and to transfer \$118,800 from Fund Reserves, with all recovered escrow funds placed back into Fund Reserves. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel recommended award of a contract for sidewalk repair projects to J.M. Marschuetz Construction, Inc., in an amount not to exceed \$200,000. Mr. Herring joined with Mr. Geisel in making this recommendation to City Council. Adequate funds exist within the F.Y. 2004 Budget to cover this entire expense. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract for sidewalk repair projects to

J.M. Marschuetz Construction, Inc., in an amount not to exceed \$200,000 A voice vote was taken with a unanimous affirmative result and the motion was declared passed

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel recommended award of a contract for Bermuda Sprigging of CVAC fields to Florissant Sod, in an amount not to exceed \$18,590. Mr. Herring joined with Mr. Geisel in making this recommendation to City Council. Adequate funds exist within the F.Y. 2004 Budget and the Wetland Mitigation Fund to cover this entire expense. Councilmember Casey made a motion, seconded by Councilmember Fults, to award a contract for Bermuda Sprigging of CVAC fields to Florissant Sod, in an amount not to exceed \$18,590. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Geiger inquired about the status of Chesterfield resident, Rajiv Tarigopula, in the Scripps National Spelling Bee competition. Mayor Nations reported that this is the second year in a row that Rajiv competed in the National Spelling Bee and Rajiv placed 16th in this year's competition. He noted that he had recognized Rajiv, each of the past two years, with a Proclamation, honoring him for his achievement!

LEGISLATION

BILL NO. 2276 ADOPTS PARKS RULES AND REGULATIONS (FIRST READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2276. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2276 was read for the first time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2277 ESTABLISHES ACCESS MANAGEMENT STANDARDS FOR THE CITY OF CHESTERFIELD (FIRST READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2277. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2277 was read for the first time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**BILL NO. 2279 APPROVES THE INSTALLATION OF A FIRE HYDRANT ON
KEMP AUTO MUSEUM PROPERTY, LOCATED WITHIN THE
CITY OF CHESTERFIELD (FIRST AND SECOND READINGS
– PUBLIC WORKS/PARKS COMMITTEE)**

Councilmember Hurt made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2279. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2279 was read for the first time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2279. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2279 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2279, with the following results: Ayes – Flachsbart, Hurt, Geiger, Casey, Fults, Streeter, Brown and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2279 approved, passed it and it became **ORDINANCE NO. 2097.**

**BILL NO. 2278 AUTHORIZES THE CITY OF CHESTERFIELD TO ENTER
INTO AND EXECUTE A CONTRACT WITH ST. LOUIS
COUNTY, MISSOURI, FOR MOSQUITO CONTROL SERVICES
AND AUTHORIZES AND DIRECTS THE CITY
ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO
ENTER INTO ON BEHALF OF SAID CITY A CONTRACT
WITH ST. LOUIS COUNTY, MISSOURI FOR MOSQUITO
CONTROL (FIRST READING-PUBLIC WORKS/PARKS
COMMITTEE)**

Councilmember Hurt made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2278. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2278 was read for the first time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to suspend the rules to allow a second reading of Bill No. 2278. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2278. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2278 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2278, with the following results: Ayes – Flachsbart, Fults, Streeter, Casey, Brown, Hurt, Durrell and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2278 approved, passed it and it became **ORDINANCE NO. 2098.**

BILL NO. 2280 REPEALS ORDINANCE 814, CREATING A NEW ORDINANCE INCREASING THE AMOUNT CHARGEABLE AS ORDINANCE VIOLATION FOR PASSING BAD CHECKS (FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2280. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2280 was read for the first time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2271 REPEALS THE CITY OF CHESTERFIELD ORDINANCE NO. 1595 AND REPLACES IT WITH A NEW ORDINANCE WITH AMENDMENTS RELATIVE TO THE NUMBER OF BUILDINGS PERMITTED, THE NUMBER OF LOTS ON THE EAST RETAIL PORTION OF THE SITE; AND CREATES ACCESS TO THE SITE FROM LONG ROAD FOR A “PC” PLANNED COMMERCIAL DISTRICT LOCATED AT THE NORTHWEST CORNER OF LONG ROAD AND CHESTERFIELD AIRPORT ROAD (P.Z. 01-2004, CHESTERFIELD AIRPORT ACQUISITIONS, LLC – WALGREEN’S) (SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2271. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2271 was read for the second time.

Councilmember Hurt asked City Attorney Beach if he is satisfied with the legal language to proceed with a vote at this time. Mr. Beach said Walgreens entered into an agreement with the State to grant them access on the west side and Walgreens will give up access on the east side.

City Attorney Beach suggested the following amendment to Page 7, Section VII, C, 3: “The property owner shall be given the opportunity to be heard before the City makes a final determination. A final determination shall be made after a hearing held by the Planning and Zoning Committee of the City Council and its recommendation is then referred to the City Council.”

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, to amend Attachment A, Section VII, C, 3. Councilmember Streeter requested clarification on the intent of this amendment. Councilmember Geiger said the language only

references the “right out” and not the “right in.” Mr. Beach confirmed that this only pertains to the “right out” portion of this access being removed. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

Councilmember Streeter made a motion, seconded by Councilmember Geiger, to amend Attachment A, Page 2, to remove “filling stations” from permitted uses. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

Councilmember Hurt asked if Director of Public Works, Mike Geisel, had discussed a protected left on Long Road with Council. Councilmember Geiger stated that Mr. Geisel addressed this and is not in favor of a protected left because it is a safety hazard.

A roll call vote was taken for passage and approval of Bill No. 2271, as amended, with the following results: Ayes – Streeter, Hurt, Brown, Durrell, Fults, Geiger, Casey and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2271, as amended, approved, passed it and it became **ORDINANCE NO. 2099.**

BILL NO. 2273 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-3” RESIDENCE DISTRICT FOR 7.8 ACRES OF LAND LOCATED NORTH OF OLIVE STREET ROAD AND EAST OF SPYGLASS SUMMIT DRIVE (P.Z. 32-2003 GREATER MISSOURI BUILDERS - CHESTERFIELD CROSSING) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2273. Councilmember Hurt asked Mr. Beach if the affidavit should be in Bill No. 2273 or 2274. Councilmember Geiger and Mr. Beach stated that the affidavit should be in Bill No. 2274. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2273 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2273, with the following results: Ayes – Casey, Brown, Geiger, Fults, Streeter, Hurt, Flachsbart and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2273 approved, passed it and it became **ORDINANCE NO. 2100.**

BILL NO. 2274 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A PLANNED ENVIRONMENT UNIT (PEU) PROCEDURE FOR 7.8 ACRES OF LAND ZONED “R-3” RESIDENCE DISTRICT LOCATED NORTH OF OLIVE STREET ROAD AND EAST OF SPYGLASS SUMMIT DRIVE (**P.Z. 33-2003 GREATER MISSOURI BUILDERS – CHESTERFIELD CROSSING**)

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2274. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2274 was read for the second time.

Councilmember Fults made a motion, seconded by Councilmember Brown, to amend Section V, 14, Miscellaneous, "G", by adding a new item "C": "The developer shall provide to each original purchaser of a parcel in this development a written disclosure that the stub street shall be connected to any future development to the east of this site. A signed copy shall be maintained in the real estate files of any sales agent." Councilmember Casey stated that subsequent owners of these parcels should be informed of this amendment in the subdivision indentures. Mr. Beach stated that the developer could include a statement in the subdivision indentures that the stub street may be attached to developments to the east. Councilmember Durrell asked if an amendment was needed to require a sign being put at the end of the stub street. Councilmember Geiger stated that the subdivision ordinance requires that the proper signs are erected at the end of the stub street. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Bill No. 2274, as amended, was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2274, as amended, with the following results: Ayes – Flachsbart, Hurt, Fults, Durrell, Casey, Streeter, Geiger and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2274, as amended, approved, passed it and it became **ORDINANCE NO. 2101**.

**BILL NO. 2275 AMENDS CITY OF CHESTERFIELD ZONING ORDINANCE
SECTION 1003.182 TO ESTABLISH NEW CRITERIA FOR THE
CREATION OF A RESIDENTIAL BUSINESS USE AREA
OVERLAY (P.Z. 4-2004 CITY OF
CHESTERFIELD/RESIDENTIAL SERVICE AREA) (FIRST
READING – PLANNING COMMISSION RECOMMENDS
APPROVAL; PLANNING AND ZONING COMMITTEE
RECOMMENDS APPROVAL BUT ONLY IF AMENDED AS
CONTAINED WITHIN THE ATTACHED "GREEN SHEET")**

Councilmember Geiger made a motion, seconded by Councilmember Fults, for the first reading of Bill No. 2275. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to send Bill No. 2275 back to the Planning and Zoning Committee of City Council for further consideration and discussion. Discussion ensued. Councilmember Hurt stated concern regarding Mr. Kling's earlier comments and also stated there would be time to resolve the issues before the second reading. Mr. Beach agreed to help resolve the issues. A roll call vote was taken for passage of the motion to hold Bill No. 2275, with the following results: Nays – Hurt, Brown, Streeter, Casey, Flachsbart, Geiger, Fults and Durrell. Ayes – None. Whereupon, Mayor Nations declared the motion to hold Bill No. 2275 and refer same to the P&Z Committee, for further discussion/review, as failed. A voice vote was then taken, with regard to the original motion for first reading approval, with a unanimous affirmative result and the

motion was declared passed. Bill No. 2275 was read for the first time. Councilmember Brown next stated that her concern is that there might not be enough time to review any changes, based upon Mr. Kling's comments, before the June 21 City Council meeting, unless those comments are first referred for discussion to the P&Z Committee. Councilmember Geiger stated that the agenda items already scheduled for discussion at the June 10 Planning and Zoning Committee meeting would not allow sufficient time to address these additional issues. Councilmember Durrell suggested sending the bill back to the Planning and Zoning Committee to make a list of the issues to consider before the June 21 Council meeting. Councilmember Hurt asked Mr. Kling if he would attend the June 10 Planning and Zoning Committee meeting if these issues are on the agenda. Mr. Kling responded that he would attend that meeting.

Councilmember Brown made a motion, seconded by Councilmember Fults, to amend Bill No. 2275, pursuant to the "green sheet", attached thereto. Mayor Nations suggested that Councilmember Brown alter her motion to only include an amendment to Page 2, Section 5. Councilmember Brown made a motion, seconded by Councilmember Fults, to amend Bill No. 2275, pursuant to the "green sheet", re: Page 2, Section 5. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to amend Bill No. 2275, Page 3, Section 8, Table 2, to allow for a maximum of six parking spaces including any covered parking spaces that might be available in a covered parking structure, whether it would be a garage or carport, whether or not said garage or carport were actually used for parking. A voice vote was taken with a unanimous affirmative result and the motion to amend was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to refer Bill No. 2275 to the June 10 Planning and Zoning Committee meeting. Councilmember Geiger stated that Mr. Kling raised a number of issues and that there would not be enough time to research, discuss and make recommendations at the Planning and Zoning Committee meeting on June 10. More discussion followed. A roll call vote was taken for passage and approval of the motion to refer Bill No. 2275 to the Planning and Zoning Committee meeting on June 10 with the following results: Ayes – Fults, Brown, Flachsbart, Hurt and Durrell. Nays – Casey, Streeter and Geiger. Whereupon, Mayor Nations declared the motion to refer Bill No. 2275 to the Planning and Zoning Committee meeting on June 10 passed. Mayor Nations stated that Bill No. 2275 will be added to the Agenda of the June 10 Planning and Zoning Committee.

ADJOURNMENT

Mayor Nations adjourned the meeting at 8:56 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggia, Deputy City Clerk