



RECORD OF PROCEEDING

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

May 6, 2013

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

Mayor Bob Nation 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 Bob Nation
Councilmember Barry Flachsbart
Councilmember Nancy Greenwood
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Bruce DeGroot
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the April 17, 2013 City Council meeting were submitted for approval. Councilmember Greenwood made a motion, seconded by Councilmember Grissom, 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 Nation announced that the next meeting of City Council has been scheduled for Monday, May 20, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mayor Nation presented a proclamation to Mike Geisel, Director of Public Services, and Jim Eckrich, Public Works Director/City Engineer, to recognize National Public Works Week in the City of Chesterfield, which will take place May 19-25, 2013. Mr. Geisel thanked the Mayor and City Council for their support and commitment to quality service for the past 25 years.

Mr. Mike Doster, DosterUllom, LLC, stated he was available to answer questions related to proposed Bill No. 2926, P.Z. 07-2013 – Spirit Valley Business Park (Spirit Valley Development, LLC).

APPOINTMENTS

Resolution No. 400, which approves the re-appointment of the Prosecuting Attorney, was held by Mayor Nation, until the May 20 City Council meeting.

COUNCIL COMMITTEE REPORTS

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2926 (Spirit Valley Development, LLC) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults then reported that Bill No. 2927 (Installation of Yield signs at West Manor Drive and Penshurst Place) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults reported that Bill No. 2923 (P.Z. 13-2012, U Gas, Inc.) (white sheet amendment) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 2924 (P.Z. 03-2013 and P.Z. 04-2013, 16636 Old Chesterfield Road, Edward Struckman) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults next reported that Bill No. 2925 (Authorizes the City Administrator to execute a cost apportionment agreement with MODOT providing for aesthetic enhancements Re: construction of Chesterfield Airport Road Bridge) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, May 9, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Michael Herring indicated that he had no report this evening.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2925 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD, MISSOURI, TO EXECUTE A COST-APPORTIONMENT AGREEMENT PROVIDING FOR AESTHETIC ENHANCEMENTS AND THE MAINTENANCE THEREOF IN CONJUNCTION WITH THE CONSTRUCTION OF THE CHESTERFIELD AIRPORT ROAD BRIDGE WITHIN THE CITY OF CHESTERFIELD **(SECOND READING; DEPT. OF PUBLIC SERVICES RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grier, for the second reading of Bill No. 2925. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Greenwood stated she will be voting “no” on Bill No. 2925 and Councilmember Hurt concurred because they both believe that there are more pressing needs, funding-wise, currently facing the City. Bill No. 2925 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2925 with the following results: Ayes – Grissom, Flachsbart, Casey, Fults and Grier. Nays – Hurt, Greenwood and DeGroot. Whereupon Mayor Nation declared Bill No. 2925 approved, passed it and it became **ORDINANCE NO. 2741**.

BILL NO. 2927 AMENDS ORDINANCE NO. 35, SCHEDULE VII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING YIELD CONTROL FOR THE WESTERN INTERSECTION OF WEST MANOR DRIVE AND PENSHURST PLACE **(FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 2927. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2927 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2923 REPEALS CITY OF CHESTERFIELD ORDINANCE 2379 TO ALLOW FOR ADDITIONAL PERMITTED USES AND MODIFICATIONS TO DEVELOPMENT REQUIREMENTS FOR A “PC” PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF CHESTERFIELD AIRPORT ROAD AND EAST OF LONG ROAD (P.Z. 13-2012 U GAS, INC. {17551 AND 17555 CHESTERFIELD AIRPORT ROAD}).
(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED; WHITE SHEET AMENDMENT)

Councilmember Fults made a motion, seconded by Councilmember Hurt, to approve the “white sheet” amendment to Attachment A, page 3, Section C.1.d. Structure Setbacks. Strike through seventy-five (75) and change to thirty-five (35) feet from the western boundary of the “PC” District. A voice vote was taken with an affirmative result (Councilmember Casey voted “No”) and the motion was declared passed.

Councilmember Fults made a motion, seconded by Councilmember Hurt, for a second amendment to Attachment A, page 4, Section I. Access/Access Management, stating that the City of Chesterfield and St. Louis County reserve the right to extend the existing median on Chesterfield Airport Road westerly. A voice vote was taken with an affirmative result (Councilmember Greenwood voted “No”) and the motion was declared passed.

Councilmember Hurt stated that his primary concern is for future safety issues at this intersection. Councilmember Fults added that site plan review will afford City Council the ability to make further changes, if necessary. Councilmember Greenwood stated she will be voting “no” on Bill No. 2923, due to the amendments required. Councilmember Flachsbart stated he intends to vote “no”, because there are too many uses specified in this ordinance.

Councilmember DeGroot stated that he wishes to exercise the Council’s “power of review” on Bill No. 2923. It was confirmed that the language is written into the bill allowing power of review to be exercised by either the Mayor or a Councilmember in that ward. Councilmember Fults also requested “power of review”.

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2923. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2923 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2923 with the following results: Ayes – Fults, Grier, Casey, Hurt and Grissom. Nays – Greenwood, DeGroot and Flachsbart. Whereupon Mayor Nation declared Bill No. 2923 approved, passed it and it became **ORDINANCE NO. 2742**.

BILL NO. 2924 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU", NON-URBAN, DISTRICT TO A "UC", URBAN CORE, DISTRICT AND APPROVES A LANDMARK AND PRESERVATION AREA (LPA) OVERLAY FOR A .24 ACRE TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF OLD CHESTERFIELD ROAD, APPROXIMATELY 250 FEET WEST OF SANTA MARIA DRIVE (PZ 03-2013 AND PZ 04-2013, 16636 OLD CHESTERFIELD ROAD (EDWARD STRUCKMAN)) **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2924. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2924 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2924 with the following results: Ayes – Greenwood, Flachsbart, Grier, Casey, Grissom, DeGroot, Hurt and Fults. Nays – None. Whereupon Mayor Nation declared Bill No. 2924 approved, passed it and it became **ORDINANCE NO. 2743**.

BILL NO. 2926 REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 2456 TO ALLOW FOR AN ADDITIONAL PERMITTED USE FOR A 52.82-ACRE TRACT OF LAND LOCATED SOUTH OF OLIVE STREET ROAD AND EAST OF WARDENBURG **(FIRST READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 2926. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2926 was read for the first time.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:25 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk