



RECORD OF PROCEEDING

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

May 1, 2006

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

Girl Scout Troop #1544 from River Bend Elementary School led everyone in the Pledge of Allegiance: Megan Goddard, Katie Richards, Meaghan Flynn, Sara Schwegman, Samantha Denslow, Molly Bonini, Emily Waters, Brittney Gregory, Alex Weldon and Jeanha Choi. Also in attendance was Troop Leader Carolyn Richards.

Mayor Nations led everyone in a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbarth
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 April 17, 2006, 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 John Nations announced that the Chesterfield Kiwanis Club Prayer Breakfast has been scheduled for Thursday, May 19, at 7am. This year's event will be held at the Marriott West, located in Maryville Center.

COMMUNICATIONS AND PETITIONS

Patti Hammil, who resides at 25 LaGorce Drive, supported the passage of Bill No. 2446 (Prohibits renting of any portion of an occupied single-family dwelling).

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2445 (Obscenity Ordinance), Bill No. 2446 (Prohibits renting of any portion of an occupied single-family dwelling), Bill No. 2447 (amends the City Code to reflect changes to State law regarding minors and intoxicating liquor) and Bill No. 2448 (Prohibits the placement of "PODS" (Portable On Demand Storage) or similar items within the public rights of way) will be read for the first time under the "Legislation" portion of the agenda.

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Streeter, to suspend the rules of Council to address the issuance of a liquor license to the Drury Hotel. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Geiger made a motion, seconded by Councilmember Streeter, to approve issuance of a liquor license to the Drury Hotel to sell all kinds of liquor by the drink and Sunday sales. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for May 17 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/parks Committee, reported that the next meeting of this Committee has been scheduled for May 25, at 5:45 p.m.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that the following legislation will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda: Bill No 2438 and Bill No.

2439 (P.Z. 35 and 36-2005, Old Baxter Square (Re-zoning and P.E.U.), Bill No. 2440 (P.Z. 11-2005, 129 Long Road (Cirtrin Property), Bill No. 2441 (621 Cepi Drive (Chesterfield Executive Park – J & T Holdings), Bill No. 2442 (P.Z. 34-2005, City of Chesterfield (Performance Standards) and Bill No. 2449 (Approves record plat re: Paddington Hill).

Councilmember Brown announced that the next meeting of this Committee has been scheduled for Thursday, May 4, at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Lee's Family Restaurant, located at 138 Chesterfield Town Center, has requested a liquor license to serve all kinds of liquor by the drink and Sunday sales. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve issuance of a liquor license to Lee's Family Restaurant. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2445 CREATES A MUNICIPAL OFFENSE FOR THE PUBLIC DISPLAY OF OBSCENE MATERIAL OR AN OBSCENE PERFORMANCE AND THE PUBLIC DISPLAY OR DISTRIBUTION OF MATERIAL HARMFUL TO MINORS **(FIRST READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2445. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2445 was read for the first time.

BILL NO. 2446 ADDS SECTION 21-76 TO ARTICLE VI OF THE CHESTERFIELD CITY CODE RELATING TO THE RENTING OF AN OCCUPIED SINGLE-FAMILY DWELLING **(FIRST READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2446. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2446 was read for the first time.

BILL NO. 2447 PROVIDES FOR THE REVISION OF SECTION 4-12 OF THE CHESTERFIELD "CODE OF ORDINANCES," PERTAINING TO MINORS AND INTOXICATING LIQUOR **(FIRST READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2447. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2447 was read for the first time.

BILL NO. 2448 ADDS SECTION 26-2 TO CHAPTER 26, ARTICLE I OF
THE CHESTERFIELD CITY CODE RELATING TO THE
REGULATION OF PORTABLE STORAGE UNITS
(FIRST READING - PUBLIC HEALTH & SAFETY
COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2448. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2448 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2438 AMENDS THE ZONING ORDINANCE OF THE CITY OF
CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN
“NU” NON-URBAN DISTRICT TO “R-4” 7,500 SQUARE FOOT
RESIDENTIAL DISTRICT FOR 2.00 ACRES OF LAND
LOCATED SOUTH OF CENTURY LAKE AND WEST OF OLD
BAXTER ROAD. (P.Z. 35-2005, OLD BAXTER SQUARE)
(SECOND READING – PLANNING COMMISSION
RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2438. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2438 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2438, with the following results: Ayes - Flachsbart, Brown, Fults, Streeter, Casey, Durrell, Hurt and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2438 approved, passed it and it became **ORDINANCE NO. 2261**.

BILL NO. 2439 AMENDS THE ZONING ORDINANCE OF THE CITY OF
CHESTERFIELD BY ESTABLISHING A PLANNED
ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE
“R-4” 7,500 SQUARE FOOT RESIDENTIAL DISTRICT FOR
2.00 ACRES OF LAND LOCATED SOUTH OF CENTURY
LAKE AND WEST OF OLD BAXTER ROAD. (P.Z. 36-2005,
OLD BAXTER SQUARE) (SECOND READING – PLANNING
COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2439. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2439 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2439, with the following results: Ayes – Casey, Geiger, Flachsbart, Hurt, Fults, Brown, Durrell and Streeter. Nays

- None. Whereupon, Mayor Nations declared Bill No. 2439 approved, passed it and it became **ORDINANCE NO. 2262.**

BILL NO. 2440 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “M-3” PLANNED INDUSTRIAL DISTRICT TO A “P-C” PLANNED COMMERCIAL DISTRICT FOR ONE PARCEL TOTALING APPROXIMATELY .43-ACRES LOCATED ON THE WEST SIDE OF LONG ROAD, SOUTH OF CHESTERFIELD AIRPORT ROAD. (P.Z. 11-2005, 129 LONG ROAD, CITRIN PROPERTY) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING & ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Brown made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2440. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2440 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2440, with the following results: Ayes – Durrell, Hurt, Brown, Casey, Flachsbart, Streeter, Geiger and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2440 approved, passed it and it became **ORDINANCE NO. 2263.**

BILL NO. 2441 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1030 TO ALLOW FOR AN AMENDMENT TO THE STRUCTURE SETBACK REQUIREMENTS FOR AN “M-3” PLANNED INDUSTRIAL DISTRICT LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD AT CEPI DRIVE (CHESTERFIELD EXECUTIVE PARK) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2441. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2441 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2441, with the following results: Ayes – Streeter, Flachsbart, Fults, Hurt, Durrell, Casey, Geiger and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2441 approved, passed it and it became **ORDINANCE NO. 2264.**

BILL NO. 2442 AMENDS CITY OF CHESTERFIELD ZONING ORDINANCE SECTIONS 1003.107, 1003.113, 1003.115, 1003.117, 1003.119, 1003.120, 1003.120A, 1003.123 AND 1003.125 TO ESTABLISH PERFORMANCE STANDARDS FOR MULTI-FAMILY, ROW HOUSES AND GROUP HOME DEVELOPMENTS. (P.Z. 34-2005, CITY OF CHESTERFIELD (PERFORMANCE

**STANDARDS)) (SECOND READING – PLANNING
COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2442. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2442 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2442, with the following results: Ayes – Fults, Hurt, Casey, Durrell, Streeter, Geiger, Brown and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2442 approved, passed it and it became **ORDINANCE NO. 2265.**

BILL NO. 2449 PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR PADDINGTON HILL; A 7.8 ACRE TRACT OF LAND ZONED “R-3” PLANNED ENVIRONMENT UNIT, LOCATED ON OLIVE BOULEVARD EAST OF SPYGLASS SUMMIT DRIVE **(FIRST & SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2449. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2449 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2449. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2449 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2449, with the following results: Ayes – Brown, Flachsbart, Geiger, Hurt, Durrell, Fults, Casey and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2449 approved, passed it and it became **ORDINANCE NO. 2266.**

NEW BUSINESS

Councilmember Durrell asked that City Administrator Herring contact AmerenUE, with regard to power outages in Ward I.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:20 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk