

## **RECORD OF PROCEEDING**

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### **MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD**

**April 16, 2001**

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

A roll call was taken with the following results:

**PRESENT**

Mayor Nancy Greenwood  
Councilmember Barry Flachsbart  
Councilmember Jane Durrell  
Councilmember Barry Streeter  
Councilmember John Nations  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Mary K. Brown  
Councilmember Charles Scheidt

**ABSENT**

None

The Pledge of Allegiance was led by Cub Scout Troop #597 from Ascension School: Jack Nations, James Nations, Andrew Ceriotti, Brian Prost, Brendan Butler, Julia Butler, Brian Scherping, Billy Lane, Andrew Scherping and Kevin Feltz. Also in attendance were Troop Leaders Dennis Scherping and Linda Ceriotti.

Mayor Greenwood led those in attendance in a moment of silent prayer.

**APPROVAL OF MINUTES**

The minutes of the March 19, 2001, City Council meeting were submitted for approval. Councilmember Streeter made a motion to approve the City Council minutes. Councilmember Nations seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Greenwood thanked City Staff, all resident volunteers and citizens who worked on her campaign and making her term of office as Mayor so enjoyable.

## **SWEARING-IN CEREMONY**

Mayor Greenwood recognized and requested Judge Rick Brunk to preside at the swearing-in ceremony. Judge Brunk administered the Oath of Office to Councilmember Jane Durrell – Ward I, Councilmember Barry Streeter – Ward II, Councilmember Dan Hurt – Ward III, Councilmember Mary Brown – Ward IV and Mayor-Elect John Nations.

A roll call vote was taken, again, this time with the re-elected and newly-elected officials of the City of Chesterfield with the following results:

### **PRESENT**

Mayor John Nations  
Councilmember Barry Flachsbart  
Councilmember Jane Durrell  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Mary Brown  
Councilmember Charles Scheidt

### **ABSENT**

None

Mayor Nations presented Mayor Greenwood with a plaque commemorating her term of office as Mayor and read a proclamation highlighting her accomplishments while serving as Mayor.

Mayor Nations recessed the meeting at 7:25 p.m. in order to have the reception for the City officials.

Mayor Nations reconvened the meeting at 7:55 p.m.

## **COMMUNICATIONS AND PETITIONS**

Richard Weeks, who resides at 16182 Wilson Drive, spoke on behalf of the Chesterfield Community Development Corporation and thanked Mayor Nancy Greenwood for her support while serving as Mayor.

Pam Hanner, who resides at 2030 Lake Clay, expressed concern with the manner in which a request for a police response to an incident was handled. Councilmember Flachsbart suggested that this incident be put on the next Public Health and Safety agenda for discussion and review.

## **APPOINTMENTS**

There were no appointments made at this meeting.

## **COUNCIL COMMITTEE REPORTS**

### **Finance and Administration Committee**

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that the next meeting has been scheduled for April 25 at 5:30 p.m.

### **Planning and Zoning Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1942 (P.Z. 24-2000, Precision Properties), Bill No. 1943 (P.Z. 4-2001, Chesterfield Planning Commission), Bill No. 1948 (Westchester House record plat) and Bill No. 1949 (Lot 62B in Sycamore Manor) will be considered for adoption and Bill No. 1947 (P.Z. 2-2001, Insituform Technologies) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for April 19 at 5:30 p.m.

### **Public Works/Parks Committee**

Councilmember Mary Brown, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1939 (prevents dumping into storm sewer system), Bill No. 1940 (establishes regulations regarding the times for solid waste collection) and Bill No. 1946 (approves the installation of fire hydrants on Swingley Ridge Road, Conway Road and August Hill on Conway Subdivision) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Brown reported that the next meeting of this Committee has been scheduled for May 23 at 5:30 p.m.)

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that a liquor license request has been submitted from Chirco's Italian restaurant, located at 14844 Clayton Road, to sell all kinds of liquor by the drink for consumption on the premises and Sunday sales. This is for a change of ownership only. The application has been reviewed and approved by the Police and Planning Departments. Councilmember Streeter made a motion, seconded by Councilmember Durrell, to approve the liquor license for Chirco's Italian restaurant. 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 major street reconstruction projects, within Project Area “C.” These projects are to be funded with bonds secured from the passage of Propositions “R” and “S.” Based upon the information provided to him by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending award of a contract to J. M. Marschuetz Construction Company, in an amount not to exceed \$990,000. Adequate funds exist within the budget to cover this entire expense. Councilmember Brown made a motion, seconded by Councilmember Scheidt, to award a contract to J. M. Marschuetz Construction Company, in an amount not to exceed \$990,000, for street reconstruction within Project Area “C”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that as provided in Section 2-91 of the Chesterfield Code of Ordinances, the City Administrator shall appoint the City Clerk, “with the consent of the City Council.” He noted that Marty DeMay’s current term will expire in April 2001. Councilmember Brown made a motion, seconded by Councilmember Scheidt, to approve Mr. Herring’s appointment of Ms. DeMay to serve as Chesterfield’s City Clerk, for a 4-year period of time, expiring April 2005. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

Councilmember Dan Hurt, President Pro Tem, announced membership on the four standing Committees of Council for the period of 2001-2002:

### **Planning and Zoning Committee**

Councilmember Charles Scheidt (Chairperson)  
Councilmember Dan Hurt  
Councilmember Barry Streeter  
Councilmember Jane Durrell

### **Finance and Administration Committee**

Councilmember Jane Durrell (Chairperson)  
Councilmember Dan Hurt  
Councilmember Barry Streeter  
Councilmember Mary Brown

### **Public Works/Parks Committee**

Councilmember Barry Streeter (Chairperson)  
Councilmember Mike Casey  
Councilmember Mary Brown  
Councilmember Barry Flachsart

## **Public Health and Safety Committee**

Councilmember Mike Casey (Chairperson)  
Councilmember Barry Streeter  
Councilmember Charles Scheidt  
Councilmember Barry Flachsbart

Councilmember Durrell made a motion, seconded by Councilmember Scheidt, to approve the membership of the four standing Council Committees. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt noted that the appointment of the Chairperson will be confirmed at the first meeting of each Committee and that a Vice-Chairperson and Council liaisons to statutory and non-statutory Committees will also to be selected at this meeting.

Councilmember Hurt reported that it was necessary to appoint a President Pro Tem through the nomination and roll call vote process. Councilmember Jane Durrell placed the name of Councilmember Barry Flachsbart in nomination for President Pro Tem. Councilmember Scheidt placed the name of Councilmember Mary Brown in nomination for President Pro Tem. Mayor Nations entertained a motion to close nominations. Councilmember Streeter made a motion, seconded by Councilmember Scheidt, to close nominations for President Pro Tem. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was then taken for the two candidates with the following results: Councilmember Flachsbart: Ayes – Flachsbart and Durrell. Councilmember Brown: Ayes – Scheidt, Hurt, Casey, Brown and Streeter. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, that Councilmember Brown be selected as President Pro Tem by acclamation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nations reported that Resolution No. 270 calls for a special election to be held August 7 to fill the vacancy of Councilmember in Ward II. Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to adopt Resolution No. 270. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Candidate filing for the position of Councilmember Ward II opens Tuesday, April 24 at 8 a.m. and closes Tuesday, May 22 at 5 p.m.

## **LEGISLATION**

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| BILL NO. 1939 | AMENDS CHAPTER 20, NUISANCES, OF THE CODE OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO PROHIBIT THE DUMPING OF CERTAIN MATERIALS INTO A STORM SEWER SYSTEM ( <b>SECOND READING</b> - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL) |
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Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1939. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1939 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1939, with the following results: Ayes – Hurt, Streeter, Brown, Scheidt, Casey, Flachsbart and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 1939 approved, passed it and it became **ORDINANCE NO. 1733.**

BILL NO. 1940        AMENDS CHAPTER 25, SOLID WASTE, OF THE CODE OF THE CITY OF CHESTERFIELD BY DELETING SECTION 25-61 AND SECTION 25-62 AND ADDING A NEW SECTION 25-61 THERETO REGARDING WASTE PICKUP IN RESIDENTIAL AND NON-RESIDENTIAL AREAS (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1940. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1940 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1940, with the following results: Ayes – Flachsbart, Durrell, Casey, Streeter, Brown, Hurt and Scheidt. Nays - None. Whereupon Mayor Nations declared Bill No. 1940 approved, passed it and it became **ORDINANCE NO. 1734.**

BILL NO. 1946        APPROVES THE INSTALLATION OF FIRE HYDRANTS ON SWINGLEY RIDGE ROAD, CONWAY ROAD AND AUGUST HILL ON CONWAY SUBDIVISION, LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READINGS – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1946. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1946 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1946. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1946 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1946, with the following results: Ayes – Streeter, Casey, Hurt, Scheidt, Durrell, Flachsbart and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 1946 approved, passed it and it became **ORDINANCE NO. 1735.**

## **LEGISLATION – PLANNING COMMISSION**

BILL NO. 1942      AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “M-3” PLANNED INDUSTRIAL DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A TRACT OF LAND LOCATED ON NORTH OUTER FORTY, WEST OF LONG ROAD (P.Z. 24-2000, PRECISION PROPERTIES) (**SECOND READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey left the meeting at 8:15 p.m.

Councilmember Hurt made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 1942. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1942 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1942, with the following results: Ayes – Brown, Flachsbart, Durrell, Hurt, Streeter and Scheidt. Nays - None. Whereupon Mayor Nations declared Bill No. 1942 approved, passed it and it became **ORDINANCE NO. 1736**.

BILL NO. 1943      AMENDS VARIOUS SECTIONS OF THE ZONING ORDINANCE (P.Z. 4-2000, CITY OF CHESTERFIELD PLANNING COMMISSION) (**SECOND READING – PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 1943. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1943 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1943, with the following results: Ayes – Hurt, Flachsbart, Brown, Scheidt, Streeter and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 1943 approved, passed it and it became **ORDINANCE NO. 1737**.

BILL NO. 1947      A REQUEST FOR AN AMENDMENT TO ORDINANCE NO. 1455, A “PC” PLANNED COMMERCIAL DISTRICT FOR A 5.59 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD AND WEST OF CEPI ROAD (P.Z. 02-2001, INSITUFORM TECHNOLOGIES) (**FIRST READING - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 1947. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1947 was read for the first time.

BILL NO. 1948 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR THE WESTCHESTER HOUSE NURSING HOME AND INDEPENDENT LIVING FACILITY AT 550 WHITE ROAD **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 1948. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1948 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1948. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1948 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1948, with the following results: Ayes – Flachsbart, Brown, Streeter, Hurt, Scheidt and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 1948 approved, passed it and it became **ORDINANCE NO. 1738.**

BILL NO. 1949 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR THE RE-SUBDIVISION OF LOT 62B, SYCAMORE MANOR, FOR A 1.27 ACRE TRACT OF LAND IN THE “R-1A” RESIDENCE DISTRICT, LOCATED ON SCHOETTLER ROAD, SOUTHEAST OF THE INTERSECTION OF GRANTLEY DRIVE AND SCHOETTLER ROAD **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 1949. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1949 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1949. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1949 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1949, with the following results: Ayes – Hurt, Brown, Streeter, Scheidt, Durrell, and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 1949 approved, passed it and it became **ORDINANCE NO. 1739.**

## **ADJOURNMENT**

Mayor Nations entertained a motion to adjourn the meeting. Councilmember Durrell made a motion to adjourn the meeting. Councilmember Scheidt seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:20 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk