

## **RECORD OF PROCEEDING**

---

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

**January 2, 2001**

---

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

A roll call was taken with the following results:

#### **PRESENT**

Councilmember Barry Flachsbart  
Councilmember Jane Durrell  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Mike Casey  
Councilmember Charles Scheidt

#### **ABSENT**

Mayor Nancy Greenwood  
Councilmember John Nations  
Councilmember Mary Brown

Acting Mayor Dan Hurt led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

#### **APPROVAL OF MINUTES**

The FY2001 Budget Public Hearing minutes of December 4, 2000, were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Scheidt seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The minutes of the December 4, 2000, City Council meeting were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Scheidt seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

#### **INTRODUCTORY REMARKS**

Acting Mayor Dan Hurt announced that St. Luke's Hospital has been recognized among the nation's 100 Top Orthopedic Hospitals and was the only hospital in the St. Louis area included in this prestigious list.

Acting Mayor Hurt next announced that MoDot has plans to improve Interstate 64/Highway 40 from Clarkson Road to Highway 94 in St. Charles, over the next two years, by adding an additional lane in both eastbound and westbound directions and that significant traffic delays are anticipated.

## **COMMUNICATIONS AND PETITIONS**

Pam Hanner, who resides at 2030 Lake Clay Drive, expressed dissatisfaction with the trash service provided by Midwest Waste and their lack of communication with the residents.

Barry Haymore, who resides at 13384 Walfield, submitted proposed resolutions for consideration by City Council regarding the extension of Highway 141 (Woods Mill Road).

David Kruvand, who resides at 13336 LaBarge, supported the resolutions submitted by Mr. Haymore.

Todd Armstrong, who resides at 700 Bellerive Manor Drive, and Trustee for Bellerive Manor Subdivision, supported the resolutions submitted by Mr. Haymore.

Harvey Present, who resides at 1073 Appalachian Trail, opposed the widening of Conway Road.

Lee Wall, who resides at 14759 Plumas Drive, submitted petitions signed by residents requesting that the City take over maintenance of Conway Road. Councilmember Flachsbart requested that Director of Public Works/City Engineer Mike Geisel submit a report to the Public Works/Parks Committee as to the need and cost to bring Conway Road up to City standards. Councilmember Casey reminded everyone that this matter had already been referred to the Public Works/Parks Committee for consideration at their January 24 meeting.

Ben Murphy, who resides at 15696 Silverlake Court, opposed hiring an outside consultant to review the proposed Charter.

Marcia McDonald, who resides at 14986 Chateau Village Drive, clarified that the Charter Commission has contracted with Mr. Jim White, attorney, to review the legality of the proposed Charter. She also expressed support for the City hiring an outside consultant to review the proposed Charter.

Clayton Hathaway, who resides at 112 High Valley Drive, requested that the residents be informed on the changes made by the Charter Commission as to how the changes would affect the current form of government and supported hiring an outside consultant.

Laura Lueking, who resides at 15021 Conway Road, opposed an independent study of the proposed Charter, by a paid consultant.

Ted Allison, who resides at 2126 Chesterfield Place, supported and praised the work the Charter Commission has done in preparing the proposed Charter for the April ballot.

Allan Sheppard, who resides at 826 Judson Manor Drive, supported the proposed Charter as developed by the Charter Commission and urged everyone to read the proposed Charter prior to the April election.

## **APPOINTMENTS**

Acting Mayor Dan Hurt placed the name of Steve Rothmel in nomination as a member of the Police Personnel Board. Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve the nomination of Steve Rothmel to the Police Personnel Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Rothmel's term will expire August 15, 2003.

## **COUNCIL COMMITTEE REPORTS**

### **Finance and Administration Committee**

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that this Committee sought proposals from two individuals to analyze the proposed Charter. Dr. Terry Jones, a professor of political science at the University of Missouri – St. Louis, was the only person who submitted a proposal to review the proposed Charter, at a fee of \$3,200. Discussion ensued with some City Councilmembers voicing concerns over the proposal. Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, to direct Staff to contact Dr. Jones and obtain optional cost information from him, assuming the scope of his proposed analysis is reduced. Mr. Herring was directed to attempt to contact other consultants who are qualified to do this work. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for February 28 at 5:30 p.m.

### **Planning and Zoning Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1909 (P.Z. 34-2000, Insituform Technologies), Bill No. 1891 (P.Z. 18-2000, Terra Investments), Bill No. 1907 (approves communication tower agreement with Sprint Spectrum) will be read for the first time and Bill No. 1910 (vacates a portion of a utility easement in Stonehill Village Subdivision) will have both readings under the "Legislation - Planning Commission" portion of the agenda.

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to hold Bill No. 1911 for review and clarification and that Mr. Herring will place this item on the

next agenda when City Attorney Beach deems it appropriate. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Westchester House has filed a petition for a Conditional Use Permit (CUP). Councilmember Casey made a motion, seconded by Councilmember Scheidt, to receive and file this petition. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for January 4 at 5:30 p.m.

### **REPORT OF THE CITY ADMINISTRATOR**

Mr. Herring noted that he had no items requiring attention by City Council at this meeting.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION**

BILL NO. 1906      CALLS FOR AN ELECTION TO BE CONDUCTED IN THE CITY OF CHESTERFIELD ON APRIL 3, 2001, TO SUBMIT TO THE VOTERS THE QUESTIONS, “SHALL THE CITY OF CHESTERFIELD ADOPT THE CHARTER FRAMED BY THE CHARTER COMMISSION?” AND SHALL ONE ALTERNATIVE PROVISION BE ADOPTED?” AND TO SUBMIT TO THE VOTERS THE CHARTER FRAMED BY THE CHARTER COMMISSION, AND ONE ALTERNATIVE PROVISION, AND PROVIDING FOR THE ADOPTION OF THE CHARTER PROVIDED THAT A MAJORITY OF THE VOTES CAST ON THE CHARTER QUESTION SHALL BE IN FAVOR OF ADOPTING SAID CHARTER WHICH SHALL APPROVE, RATIFY AND CONFIRM SAID CHARTER (**FIRST READING – CHARTER COMMISSION RECOMMENDS APPROVAL**)

Councilmember Durrell made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1906. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1906 was read for the first time.

### **LEGISLATION – PLANNING COMMISSION**

BILL NO. 1909      AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE FOR A CHANGE IN ZONING DESIGNATION FOR 4.652 ACRE TRACT OF LAND FROM “M-3” PLANNED INDUSTRIAL DISTRICT TO A “PI” PLANNED INDUSTRIAL

DISTRICT LOCATED ON THE NORTH SIDE OF EDISON AVENUE, WEST OF CEPI DRIVE (P.Z. 34-2000, INSITUFORM TECHNOLOGIES) (**FIRST READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Scheidt, for the first reading of Bill No. 1909. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1909 was read for the first time.

**BILL NO. 1891** AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE FOR A CHANGE IN ZONING DESIGNATION FOR 24.997 ACRE TRACT OF LAND FROM “M-3” PLANNED INDUSTRIAL DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF SPIRIT DRIVE (P.Z. 18-2000 TERRA INVESTMENTS, L.L.C.) (**FIRST READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Scheidt, for the first reading of Bill No. 1891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1891 was read for the first time.

Realizing that the bill had not been amended as discussed by Council, Councilmember Flachsbart made a motion, seconded by Councilmember Scheidt, to reconsider the first reading of Bill No. 1891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hurt made a motion to amend Page 7, Section C (q) of Bill No. 1891, by “excluding live animals, explosives or flammable gases and liquids.” Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion to read Bill No. 1891 for the first time, as amended. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1891 was re-read for the first time, as amended.

**BILL NO. 1910** VACATES A PORTION OF A UTILITY EASEMENT LOCATED ON LOT 5A ON STONEBLUFF COURT IN THE STONEHILL VILLAGE SUBDIVISION (**FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Scheidt, for the first reading of Bill No. 1910. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1910 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1910. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 1910 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1910, with the following results: Ayes – Flachsbart, Streeter, Durrell, Scheidt, Casey and Hurt. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1910 approved, passed it and it became **ORDINANCE NO. 1705**.

**BILL NO. 1907      AUTHORIZES AND DIRECTS THE CITY ADMINISTRATOR TO EXECUTE A COMMUNICATIONS TOWER AGREEMENT BETWEEN THE CITY OF CHESTERFIELD AND SPRINT (FIRST AND SECOND READINGS – CITY ATTORNEY/CITY ADMINISTRATOR RECOMMEND APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Scheidt, for the first reading of Bill No. 1907. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1907 was read for the first time.

**ADJOURNMENT**

Acting Mayor Hurt entertained a motion to adjourn the meeting. Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:38 p.m.

---

Acting Mayor Dan Hurt

**ATTEST:**

---

Martha L. DeMay, City Clerk