



RECORD OF PROCEEDING

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

January 5, 2004

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

Girl Scout Troop #1591 from Shenandoah Valley Elementary School led everyone in the Pledge of Allegiance: Marie Nabors, Rachel Peters, Anne Erthal, Abi Miller, SeSe Tockman, Meilin Zhu, Maggie Mueller, Carly Spielberg, JoAnna Disch, Alex Silvesri, Abby Brown, Nora Cyganiak, Jessica Harry, Meagan, Houchens, Ruth Linneman, Kelsey Morris, Sabrina Rallo, Grace Vaudin and Jenna Wade. Also in attendance were Troop Leaders Donna Nabors, Jennifer Peters, Kathi Miller and Stephanie Erthal.

Rev. T. D. Stubblefield, Police Chaplain, led everyone in 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 December 1, 2003 Public Hearing, re: the proposed FY2004 Budget and the December 1, 2003 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 City Hall would be closed Monday, January 19 in observance of the Dr. Martin Luther King, Jr. birthday holiday.

Mayor Nations announced that the next meeting of City Council would be held Wednesday, January, 21.

COMMUNICATIONS AND PETITIONS

Mike Lawless, who resides at 298 Vance Road and is Trustee of the Eagle Crest Subdivision, requested the boundary adjustment of Lot 31 in Eagle Crest Subdivision, as detailed within a drawing which he submitted to City Council.

Nabeel Gareeb, who resides on Lot 31 in Eagle Crest Estates, supported the boundary adjustment plat for his lot in the subdivision.

Mayor Nations referred to the Planning and Zoning Committee the boundary adjustment plat proposal, submitted by Lawless Homes and in regard to the Eagle Crest Estates Subdivision. The Committee and Staff will determine if this issue will be placed on the January 21 City Council agenda.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2231 – P.Z. 22-2003, 14691 Clayton Road (Susan Daigle) and Bill No. 2232 – P.Z. 27-2003, City of Chesterfield (Sign Package Requirements) will be read for the first time. Bill No. 2226 (P.Z. 17-2003 – Rausch Tract), Bill No. 2228 (P.Z. 23-2003 (LPC 3-2003 Elijah W. Payne House, Bill No. 2233 (Approval of a record plat for Chesterfield Business Park (Lots 5, 6 and 7) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to send Bill No. 2227 (P.Z. 21-2003 – Jim Lynch/Larry Enterprises) to the Planning and Zoning Committee for further review, with the understanding that this item will be returned to City Council, for consideration at the January 21 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to authorize the posting of agendas no later than noon on the Thursday prior to a Monday City Council meeting. This action will give all involved in the agenda preparation process additional turn-around time for items to be placed on the agenda, while still exceeding State requirements for posting of notices. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve the recommended change to the current policy regarding “Power of Review”. If approved, this new policy would require that, immediately following an action by the Mayor or a City Councilmember, to exercise this “power of review”, this request will be placed on a City Council agenda. At that time, City Council will vote to determine if the item would first be forwarded to the P&Z Committee for discussion or whether it would be placed directly on the next City Council agenda, for final action by City Council. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

The next meeting of this Committee has been scheduled for January 8 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2224 (makes it illegal to drive while license is suspended, revoked, cancelled or denied) and Bill No. 2225 (prohibits false declarations of one’s name, address and/or driving status when being questioned) will be considered for adoption under the “Legislation” portion of the agenda.

Public Works/Parks Committee

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2219 (amends Ordinance No. 1973 by adding surety requirements to Chapter 12 of the Chesterfield Code regarding grading, erosion and sediment control), Bill No. 2220 (authorizes the City Administrator to execute a memorandum of Understanding with St. Louis County regarding Wild Horse Creek Road Realignment) and Bill No. 2221 (Amends Ordinance No. 35, Schedule VI regarding stop signs at Old Baxter/Highcroft Drive) 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 January 6 at 5:45 p.m.

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that a liquor license request was submitted by Lenexa Restaurant Group, for a liquor license at the K.C. Masterpiece Barbecue and Grill, located at 16123 Chesterfield Parkway West, to sell all kinds of liquor, by-the-drink, for consumption on the premises and Sunday sales. This is a change in ownership. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve issuance of the liquor license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Casey reminded those in attendance that Chesterfield Arts is hosting its “ArtFeast – 2004” at the Doubletree Hotel, January 23, starting at 7 p.m. and urged everyone to attend this fund-raising event.

LEGISLATION

BILL NO. 2224 **MAKES IT ILLEGAL TO DRIVE IF AN INDIVIDUAL’S LICENSE IS SUSPENDED, REVOKED, CANCELLED OR DENIED (SECOND READING- PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2224. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2224 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2224, with the following results: Ayes – Streeter, Fults, Hurt, Durrell, Casey, Brown, Geiger and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2224 approved, passed it and it became **ORDINANCE NO. 1996**.

BILL NO. 2225 **PROHIBITS A FALSE DECLARATION OF ONE’S NAME, ADDRESS AND/OR DRIVING STATUS, OR OTHER INFORMATION, WHEN BEING QUESTIONED RELATIVE TO A VIOLATION OF THE LAW OR MOTOR VEHICLE INFORMATION, WITHIN THE CITY OF CHESTERFIELD (SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2225. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2225 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2225, with the following results: Ayes – Geiger, Casey, Hurt, Brown, Durrell, Fults, Flachsbart and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2225 approved, passed it and it became **ORDINANCE NO. 1997**.

BILL NO. 2219 **AMENDS ORDINANCE NUMBER 1973 ADDING SURETY REQUIREMENTS TO CHAPTER 12 OF THE CODE OF CHESTERFIELD RELATING TO GRADING, EROSION AND SEDIMENT CONTROL (SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2219. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 2219 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2219, with the following results: Ayes – Brown, Durrell, Fults, Hurt, Flachsbart, Geiger, Casey and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2219 approved, passed it and it became **ORDINANCE NO. 1998.**

BILL NO. 2220 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH ST. LOUIS COUNTY TO FACILITATE THE RELOCATION AND RECONSTRUCTION OF WILDHORSE CREEK ROAD (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2220. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2220 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2220, with the following results: Ayes – Flachsbart, Geiger, Casey, Streeter, Fults, Durrell, Brown and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2220 approved, passed it and it became **ORDINANCE NO. 1999.**

BILL NO. 2221 AMENDS ORDINANCE 35, SCHEDULE VI, INTERSECTION STOPS, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO FOR AN ALL-WAY STOP AT THE INTERSECTION OF OLD BAXTER ROAD AND HIGHCROFT DRIVE (**SECOND READING –PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2221. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2221 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2221, with the following results: Ayes – Geiger, Hurt, Fults, Brown, Streeter, Durrell, and Casey. Nays - Flachsbart. Whereupon, Mayor Nations declared Bill No. 2221 approved, passed it and it became **ORDINANCE NO. 2051.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2226 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “R-3” RESIDENCE DISTRICT FOR 1.17 ACRES OF LAND LOCATED WEST OF THE INTERSECTION OF KEHRS

MILL ROAD AND WENDIMILL ROAD AT 2759 KEHRS
MILL ROAD (P.Z. 17-2003 – RAUSCH TRACT)
**(SECOND READING – PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2226. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2226 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2226, with the following results: Ayes – Casey, Geiger, Hurt, Flachsbart, Streeter, Fults, Brown and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2226 approved, passed it and it became **ORDINANCE NO. 2052.**

BILL NO. 2228 ESTABLISHES A LANDMARK DESIGNATION FOR A STRUCTURE LOCATED AT 16 GREYMORE COURT ON TO THE PROCESS ESTABLISHED BY THE CITY OF CHESTERFIELD ORDINANCE NUMBER 1719 (P.Z. 23-2003) (LPC 3-2003) ELIJAH W. PAYNE HOUSE
**(SECOND READING – PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2228. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2228 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2228, with the following results: Ayes – Durrell, Geiger, Hurt, Casey, Flachsbart, Fults, Streeter and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2228 approved, passed it and it became **ORDINANCE NO. 2053.**

BILL NO. 2231 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E-ONE” ESTATE DISTRICT FOR AN APPROXIMATELY 1.0 – ACRE TRACT OF LAND, LOCATED AT 14691 CLAYTON ROAD (P.Z. 22-2003, 14691 CLAYTON ROAD - SUSAN DAIGLE) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2231. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2231 was read for the first time.

BILL NO. 2232 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.168 TO ESTABLISH SECTION 1003.168(4) PROVIDING STANDARD REQUIREMENTS FOR SIGN PACKAGE SUBMITTALS (P.Z. 27-2003, CITY OF CHESTERFIELD/SIGN

**PACKAGE REQUIREMENTS) (FIRST READING –
PLANNING COMMISSION RECOMMENDS
APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2232. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2232 was read for the first time.

BILL NO. 2233 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR LOTS 5, 6 AND 7 OF CHESTERFIELD BUSINESS PARK, A 5.615 ACRE TRACT OF LAND ZONED “PI” PLANNED INDUSTRIAL DISTRICT, LOCATED ON CHESTERFIELD BUSINESS PARKWAY IN A SUBDIVISION KNOWN AS “CHESTERFIELD BUSINESS PARK” **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2233. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2233 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2233. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2233 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2233, with the following results: Ayes – Flachsbart, Geiger, Durrell, Brown, Casey, Streeter, Hurt and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2233 approved, passed it and it became **ORDINANCE NO. 2054.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:37 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk

