RECORD OF PROCEEDING

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

January 21, 2004

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

Mayor Nations 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 John Nations	None
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	

Mayor Nations next presented a proclamation to Gary Olsen and Wendy Wells of St. Luke's Hospital honoring the hospital being named in the Top 100 Hospitals for cardiac services in the St. Louis area.

APPROVAL OF MINUTES

The minutes of the January 5, 2004, 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 qualifying period for the April 6 Municipal Election ended January 20 at 5 p.m. Mayor Nations read the names of the candidates who filed for this election (see attached).

Mayor Nations announced that the next meeting of City Council has been scheduled for February 2 at 7 p.m.

COMMUNICATIONS AND PETITIONS

Gigi Kaiser, Mike Horton, Shelia Oca, Julie Palacios and Mike Polt, all residing in Ladue Trails Subdivision, expressed concerns regarding the possible development of a lot located between several different subdivisions, in their area, which does not have any apparent access.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill #2234 – P.Z. 35-2003, City of Chesterfield (Subdivision Development Regulations and Time Requirements for Subdivision Improvements) and Bill # 2235 – P.Z. 31-2003, City of Chesterfield (Museum and Arts Procedure) will be read for the first time. Bill #2227 – P.Z. 21-2003 (Jim Lynch/Larry Enterprises), Bill #2231 – P.Z. 22-2003, 14691 Clayton Road (Susan Daigle), Bill #2232 – P.Z. 27-2003, City of Chesterfield (Sign Package Requirements), Bill #2236 – Boundary Adjustment Plat (Eagle Crest Estates) and Bill #2237 –P.Z. 43-2000, Burgundy Arrow, LLC will be considered for second reading adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for Thursday, January 22 at 5:30 p.m.

RECOMMENDATIONS PUBLIC WORKS/PARKS COMMITTEE

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that Staff recently sought proposals from soft drink vendors for an exclusive contract to provide soft drinks at the Athletic Complex and Central Park aquatic facility. After reviewing the proposals, the Public Works and Parks Committee endorsed Staff's recommendation to award the contract to Coke, for an initial period of three years. Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to approve the proposal submitted by Coke. The Committee's recommendation also included using $15,000 of Coke's first year payment to purchase additional refrigeration equipment for the storage of pre-packaged products. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults next reported that the Committee recommends that an allocation of not more than $27,000 be authorized from Wetland Mitigation Funds to be specifically dedicated to the Chesterfield Valley Athletic Complex for the purpose of completing the final phase of the CVAC Soccer field grass sprigging and to leverage a donation of $11,000 from the American Legion, for the purpose of expanding dugouts and erecting a flagpole at the CVAC. Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults next reported that the Committee recommended that approximately $100,000 of TIF funds be used for Phase 1 of a Valley Infrastructure Master Plan. Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to approve this proposed use of TIF funds. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for March 31 at 5:45 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Espino's Mexican Bar and Grill, 17409 Chesterfield Airport Road and Matador Mexican Restaurant, 17304 Chesterfield Airport Road, have requested liquor licenses to serve all kinds of liquor by the drink to be consumed on the premises and Sunday sales. Both applications have been reviewed and recommended for approval by the departments of Planning and Police. Councilmember Casey made a motion, seconded by Councilmember Streeter, to approve both liquor licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel is requesting an additional $15,000, as compensation for work completed on River Valley Drive and Old Baxter Road by Doering Engineering. Mr. Herring noted that these funds will come from the ½ cent sales tax for streets/sidewalks. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the additional $15,000 payment to Doering Engineering. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2227 REPEALS CITY OF CHESTERFIELD ORDINANCE 1790, AND REPLACES IT WITH A NEW ORDINANCE PROVIDING FOR THE ADDITION OF OUTDOOR STORAGE, AND CHANGES TO PROPERTY SETBACKS FOR 14.1 ACRE "PI" PLANNED COMMERCIAL DISTRICT LOCATED NORTH OF HIGHWAY 40/INTERSTATE 64, WEST OF BOONE'S CROSSING (P.Z. 21-2003 – JIM LYNCH/LARRY ENTERPRISES) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2227, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2227 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2227, with the following results: Ayes – Fults, Geiger, Durrell, Casey, Hurt, Flachsbart, Brown and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2227 approved, passed it and it became **ORDINANCE NO. 2055.**

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

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second 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 second time. A roll call vote was taken for passage and approval of Bill No. 2231, with the following results: Ayes – Streeter, Durrell, Hurt, Brown, Fults, Flachsbart, Geiger and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2231approved, passed it and it became **ORDINANCE NO. 2056.**

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

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second 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 second time. A roll call vote was taken for passage and approval of Bill No. 2232, with the following results: Ayes – Durrell, Brown, Streeter, Geiger, Flachsbart, Fults, Hurt and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2232 approved, passed it and it became **ORDINANCE NO. 2057.**

BILL NO. 2236 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR LOT 31 AND COMMON GROUND FOR EAGLE CREST ESTATES, KNOWN AS A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 886 AND 2760, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, MISSOURI (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Fults, for the first reading of Bill No. 2236. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2236 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Fults, for a second reading of Bill No. 2236. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2236 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2236, with the following results: Ayes – Hurt, Fults, Flachsbart, Brown, Durrell, Casey, Geiger and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2236 approved, passed it and it became **ORDINANCE NO. 2058.**

BILL NO. 2237 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 1745 AND INCORPORATES THE CONDITIONS THEREIN TO THE REVISED ATTACHMENT "A" AUTHORIZING REVISED SETBACKS AND FLOOR AREA REQUIREMENTS FOR A "PI" PLANNED INDUSTRIAL DISTRICT LOCATED WEST OF PUBLIC WORKS DRIVE AT CHESTERFIELD AIRPORT ROAD (P.Z. 43-2000, BURGUNDY ARROW LLC) (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Fults, for the first reading of Bill No. 2237. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2237 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Fults, for a second reading of Bill No. 2237. Councilmember Streeter made a motion, seconded by Councilmember Durrell, to amend Bill No. 2237 Attachment A, Section VII, Specific Criteria, Item A, Sub-Section 2, per the "green sheet" attached. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2237 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No. 2237, with the following results: Ayes – Flachsbart, Streeter, Geiger, Casey, Hurt, Fults, Durrell, and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2237 approved, passed it and it became **ORDINANCE NO. 2059.**

BILL NO. 2234 AMENDS THE CITY OF CHESTERFIELD SUBDIVISION ORDINANCE SECTION 1005.080 RELATING TO SUBDIVISION DEVELOPMENT REGULATIONS BY ENACTING A NEW SECTION 1005.080, AND BY AMENDING SECTION 1005.240 RELATING TO SUBDIVISION IMPROVEMENTS BY IDENTIFIYING A TIME WHEN SAID IMPROVEMENTS MUST BE COMPLETED AND CODIFYING THE SAME AS REGULATIONS FOR THE CITY OF CHESTERFIELD, MISSOURI (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2234. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2234 was read for the first time.

BILL NO. 2235 AMENDS THE CITY OF CHESTERFIELD'S ZONING ORDINANCE TO ESTABLISH SECTION 1003.141 PROVIDING A MUSEUM AND ARTS PROCEDURE (P.Z. 31-2003, CITY OF CHESTERFIELD) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS PROPOSED WITHIN THE ATTACHED "GREEN SHEET")**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2235. 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 amend Bill No. 2235, Attachment A, Page 1, Paragraph 2, Item 2, per the green sheet attached to the legislation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2235, as amended, was read for the first time.

ADJOURNMENT

Mayor Nations adjourned the meeting at 8:16 p.m.

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Mayor John Nations

ATTEST:

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Martha L. DeMay, City Clerk