



## RECORD OF PROCEEDING

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

**January 22, 2003**

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

Mayor John Nations led those in attendance 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  
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

None

APPROVAL OF MINUTES

Councilmember Casey noted that an individual listed under the “Appointments” section of the Minutes was, in fact, currently residing within Ward 3 and asked that the Minutes be amended to reflect that fact. With that change, the Minutes of the January 6, 2003, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Brown, to approve the City Council Minutes, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nations announced that ArtFeast 2003, a fund-raising event sponsored by Chesterfield Arts, Inc., has been scheduled for January 24 at 6 p.m. at the Doubletree Hotel.

Mayor Nations next announced that candidate filing for the April municipal election closed on Tuesday, January 21, with the following individuals seeking the office of Councilmember in their respective wards:

Ward I – Jane Durrell (unopposed); Ward II – Barry Streeter (incumbent) and Susan Clarke; Ward III – Dan Hurt (incumbent) and Brian Calderwood; Ward IV – Stephanie Macaluso and Mary Brown (incumbent). Mayor Nations urged everyone to participate in the election process on April 8, 2003.

Mayor Nations announced that the next meeting of City Council would take place at 7 p.m. on Monday, February 3.

## **COMMUNICATIONS AND PETITIONS**

Gil Effron, who resides at 2156 Courtleigh Lane, supported the City adopting a property maintenance code.

Jeff Chaney, who resides at 2048 Parasol Drive, supported the City adopting a property maintenance code.

Dan Wind, representing the Home Builders Association, opposed the limitation of lot sizes and supported giving developers more discretion with lot size placement on undeveloped property.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that both Bill No. 2132 (accepts Edison Avenue, between Goddard and Long Road, as a public street) and Bill No. 2133 (accepts various streets in Nooning Tree Park Subdivision, Plats 1 and 2, as public streets) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for Monday, January 27, 2003, at 5:45 p.m. Mr. Flachsbart asked Mr. Herring to be sure to post a revised agenda for this meeting, reflecting this new starting time.

## **Finance and Administration Committee**

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee is still in the process of being scheduled. It was originally scheduled for Wednesday, February 26<sup>th</sup>, but since Director of Finance and Administration Jan Hawn is leaving on Friday, February 28<sup>th</sup>, an effort is underway to re-schedule this meeting for earlier in the month.

## **Planning and Zoning Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2134 (P.Z. 23-2002, Sona Travel will be read for the first time and Bill No. 2135 (amends the Zoning Ordinance regarding Estate Districts) and Bill No. 2137 (approves record plat for Belle Monte Subdivision) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to refer the Conditional Use Permit (CUP) for St. Luke’s Hospital to the Planning and Zoning Committee, for a Public Hearing. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that progress was being made regarding the fine-tuning of Bill No. 2119 (Property Maintenance Code). Councilmember Geiger made a motion, seconded by Councilmember Streeter, to direct Staff to specifically address how this proposed ordinance, if adopted, will be enforced. 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 Thursday, January 23 at 5:30 p.m.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that Assistant Director of Public Works/Assistant City Engineer Brian McGownd recommends that a contract be entered into with the firm of Shively Geotechnical, Inc. to provide construction inspection and management services, regarding the Highway 340 Transportation Enhancement Project, at a cost not to exceed \$85,000. Sufficient funds exist within the ½ cent Capital Improvement Sales Tax Fund to cover the entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to enter into a contract with Shively Geotechnical, Inc., at a cost not to exceed \$85,000, for construction inspection and management services regarding the Highway 340 Transportation Enhancement Project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## LEGISLATION

**BILL NO. 2132**                      PERTAINS TO THE ACCEPTANCE OF EDISON AVENUE, BETWEEN GODDARD AVENUE AND LONG ROAD, IN THE CITY OF CHESTERFIELD, AS A PUBLIC STREET (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2132 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2132, with the following results: Ayes – Geiger, Durrell, Hurt, Flachsbart, Streeter, Fults, Casey and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 2132 approved, passed it and it became **ORDINANCE NO. 1909**.

**BILL NO. 2133**                      PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN NOONING TREE PARK SUBDIVISION, PLATS 1 AND 2, IN THE CITY OF CHESTERFIELD, AS PUBLIC STREETS (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2133. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2133 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2133, with the following results: Ayes - Flachsbart, Geiger, Casey, Fults, Brown, Hurt, Durrell and Streeter. Nays - None. Whereupon Mayor Nations declared Bill No.2133 approved, passed it and it became **ORDINANCE NO. 1910**.

## LEGISLATION – PLANNING COMMISSION

**BILL NO. 2134**                      AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A COMMERCIAL SERVICE PROCEDURE IN THE “R-2” 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A .45 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD, WEST OF RIVER VALLEY DRIVE (P.Z. 23-2002 SONA TRAVEL) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2134. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2134 was read for the first time.

**BILL NO. 2135**

REPEALS ORDINANCE 1901 AND AMENDS SECTION 1003.107, DELETING SECTIONS 1003.108, 1003.109 OF THE CITY OF CHESTERFIELD ZONING ORDINANCE PERTAINING TO THE ESTATE DISTRICTS BY ELIMINATING THE STANDARD PROCEDURE AND PERFORMANCE ZONING PROCEDURE OPTIONS AND PERMITTING THE PLANNED ENVIRONMENT UNIT (PEU) OPTION FOR DEVELOPMENT; ESTABLISHING BUFFERING STANDARDS FOR DEVELOPMENT ALONG COLLECTOR AND ARTERIAL ROADS; ELIMINATING THE 10 ACRE MINIMUM REQUIREMENT IN ESTATE DISTRICTS; AND BY REQUIRING THAT THE MAXIMUM NUMBER OF UNITS IN A DEVELOPMENT CORRELATE TO THE UNDERLYING ZONING IN THE ESTATE DISTRICT (P.Z. 19A-2002 CITY OF CHESTERFIELD) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Flachsbart made a motion, seconded by Councilmember Streeter to make a change throughout the Bill so that “E-1” becomes “E-One Acre”; “E-2” becomes “E-Two Acres”; and, “E-3” becomes “E-Half Acre”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to permit minimum lot sizes in each of the “E” zoning districts to go down as many as two lot sizes, if buffering is increased and there is a finding by at least 2/3 (6 of the 9 members) of the Planning Commission that the plan would be “significantly improved” by allowing this reduction. A voice vote was taken with an affirmative result (Councilmembers Hurt and Casey voted “No”) and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the changes that appeared on the “pink sheet” in the Council packet, attached to this legislation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart then made a motion, seconded by Councilmember Casey, to hold Bill No. 2135 until the next City Council meeting on February 3. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Staff was directed to post a copy of Bill No. 2135 on the City’s website, after all amendments noted above have been made, to enable review by all interested parties.

**BILL NO. 2137**

PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR BELLE MONTE SUBDIVISION, A 6.315 ACRE TRACT OF LAND, ZONED “R-3” RESIDENCE DISTRICT WITH A PEU LOCATED SOUTH OF CONWAY ROAD AND WEST OF AUGUST HILL ON CONWAY (**FIRST AND SECOND READINGS –**

**PLANNING COMMISSION RECOMMENDS  
APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2137. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2137 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2137. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2137 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2137, with the following results: Ayes – Hurt, Streeter, Fults, Geiger, Brown, Durrell, Flachsbart and Casey. Nays - None. Whereupon Mayor Nations declared Bill No.2137 approved, passed it and it became **ORDINANCE NO. 1911.**

**ADJOURNMENT**

Mayor Nations adjourned the meeting at 7:58 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk