

## RECORD OF PROCEEDING

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

**January 23, 2002**

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

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 Charles Scheidt

None

The Pledge of Allegiance was led by Boy Scout Troop #677 from Ellisville Methodist Church: Brandon Linn, Matt Peterson and Daniel McCluskey. Also in attendance was Troop Leader Ed Aderman.

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

APPROVAL OF MINUTES

The December 3, 2001, FY2002 Budget Public Hearing minutes were submitted for approval. Councilmember Streeter made a motion, seconded by Councilmember Durrell, to approve the Public Hearing minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The minutes of the January 7, 2002, City Council meeting were submitted for approval. Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve

the Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nations announced that the Municipal Election would take place April 2. The qualifying period has ended and the following individuals have filed for candidacy: Ward I – Barry Flachsbart; Ward II - Bruce Geiger; Ward III – Mike Casey; Ward IV – Charles Scheidt and Connie Fults.

## **COMMUNICATIONS AND PETITIONS**

Karyn Griffin, who resides at 16657 Chesterfield Manor Drive, expressed concern that City Council votes taken in Executive Session, regarding the Bluestone Development and Mobil Mart, were not disclosed to the public. She urged City Council to display more open communication with the public. City Attorney Doug Beach stated that there is complexity with regard to Executive Sessions and litigation and the adoption of ordinances within said sessions. As a result, the Finance and Administration Committee will pursue this request.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that the Committee reviewed the proposed policy and form to be used for use of City Hall. Discussion ensued. Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, that the policy and form for the rental/use of City Hall be adopted, but that Staff review this policy in 90 days and that since certain issues need to be clarified, no meetings are to be booked more than 180 days from this date. Councilmember Hurt next made a motion, seconded by Councilmember Durrell, to amend the motion, such that subdivision meetings held on the weekends would not be charged for the use of the facility. Discussion took place. A roll call vote was taken with the following results: Ayes – Brown, Hurt, Casey, Durrell, Geiger and Scheidt. Nays – Flachsbart, Streeter. Mayor Nations declared the motion passed. Councilmember Brown made a motion, seconded by Councilmember Durrell, to remove the 180-day limit on reservations to allow reservations to be made up to 365 days in advance of the scheduled event. A roll call vote was taken with the following results: Ayes – Scheidt, Geiger, Durrell, Casey, Hurt, and Brown. Nays – Streeter and Flachsbart. A roll call vote was then taken on the original motion, as amended. Ayes – Flachsbart, Durrell, Geiger, Streeter, Hurt, Casey, Brown and Scheidt. Nays – None. Mayor Nations declared the motion passed.

Councilmember Streeter next reported that the proposed policy regarding parking restrictions on Federal, State and County roads was discussed in the last Committee meeting. During discussion, it was evident that the word “adjacent” had not been clearly defined. Councilmember Casey made a motion, seconded by Councilmember Streeter, to refer this policy back to the Committee for further review and a more clear definition of “adjacent.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mayor Nations declared the motion passed.

Councilmember Streeter next recommended that the proposed Acceptance of Public Art policy be adopted as approved unanimously by the Committee. A copy is attached to these minutes. Councilmember Casey made a motion, seconded by Councilmember Flachsbart to adopt the proposed policy regarding the acceptance of public art. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter next reported that Bill No. 2032, which approves the sewer lateral policies and procedures, and Bill No. 2039, which approves the installation of fire hydrants in the Villas at Chesterfield Pointe, will be considered for adoption under the “Legislation” portion of the agenda.

### **Public Health and Safety Committee**

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that the City has received approval for a Federal Grant for the purchase of 12 laptop computers to be installed in marked police cars and one-year operating costs. This grant is a 75/25 match and would provide the City with \$64,782 and require matching funds of \$21,594. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to accept the Federal Grant for the purchase of 12 laptop computers to be installed in marked police cars and one-year operating costs and to transfer \$21,594 from Contingency for this purpose. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **Planning and Zoning Committee**

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2035 (P.Z. 35-2000, McBride & Son) and Bill No. 2040 (P.Z. 37-2001, City of Chesterfield) will be read for the first time and Bill No. 2041 (boundary adjustment plat for Chesterfield Commons North) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Scheidt next reported that the Planning and Zoning Committee recommended approval of the recommendation submitted by the Zoning Ordinance Interview Committee that Clarion Associates, LLC of Denver, CO, be approved to update the Zoning Ordinance for the City of Chesterfield, in an amount not to exceed \$50,000. Councilmember Scheidt made a motion, seconded by Councilmember Brown, to approve the recommendation by the Committee of Clarion Associates, LLC of Denver, CO, in an amount not to exceed \$50,000 transferred from Fund Reserves, to update the City of

Chesterfield Zoning Ordinance. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt announced that the next meeting of this Committee has been scheduled for January 24 at 5:30 p.m.

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

City Administrator Mike Herring had no business to discuss with the Council this evening.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION**

BILL NO. 2032                      ESTABLISHES THE POLICY RELATIVE TO THE RESIDENTIAL SANITARY SEWER LATERAL AND REPAIR PROJECTS OF THE CITY OF CHESTERFIELD AS TO ELIGIBILITY, APPLICATION, REVIEW, REPAIR AND COST EXPENDITURES (**PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL – SECOND READING**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2032. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2032 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2032, with the following results: Ayes Hurt, Geiger, Durrell, Streeter, Casey, Scheidt, Flachsbart and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 2032 approved, passed it and it became **ORDINANCE NO. 1814**.

BILL NO. 2034                      AMENDS ORDINANCE NO. 123, SECTION 27-1 OF THE CITY OF CHESTERFIELD MUNICIPAL CODE, RELATING TO TELEPHONE SERVICE OR EXCHANGE TELEPHONE SERVICE AND TELEGRAPH COMPANIES, BY ENACTING THEREIN A NEW SECTION TO BE KNOWN AS “TELEPHONE SERVICE, EXCHANGE TELEPHONE SERVICE DEFINED;” CONTAINING A SAVING CLAUSE (**CITY ATTORNEY RECOMMENDS APPROVAL – SECOND READING**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2034. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2034 was read for the second time.

A roll call vote was taken for passage and approval of Bill No. 2034, with the following results: Ayes - Brown, Streeter, Geiger, Hurt, Scheidt, Durrell, Casey and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2034 approved, passed it and it became **ORDINANCE NO. 1815.**

**BILL NO. 2039**                      **APPROVES THE INSTALLATION OF FIRE HYDRANTS  
IN THE VILLAS AT CHESTERFIELD POINTE  
SUBDIVISION LOCATED WITHIN THE CITY OF  
CHESTERFIELD (PUBLIC WORKS/PARKS  
COMMITTEE – FIRST AND SECOND READINGS)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2039. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2039 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2039. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2039 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2039, with the following results: Ayes – Streeter, Scheidt, Durrell, Casey, Hurt, Brown, Flachsbart and Geiger. Nays - None. Whereupon Mayor Nations declared Bill No. 2039 approved, passed it and it became **ORDINANCE NO. 1816.**

**LEGISLATION - PLANNING COMMISSION**

**BILL NO. 2035**                      **AMENDS THE ZONING ORDINANCE OF THE CITY OF  
CHESTERFIELD BY CHANGING THE BOUNDARIES OF  
A “C-8” PLANNED COMMERCIAL DISTRICT TO A  
“PC” PLANNED COMMERCIAL DISTRICT FOR A 2.807  
ACRE TRACT OF LAND LOCATED ON THE  
NORTHEAST CORNER OF CHESTERFIELD AIRPORT  
ROAD AND MCBRIDE CORPORATE CENTER DRIVE,  
WEST OF BOONE’S CROSSING (P.Z. 35-2000)  
(PLANNING AND ZONING COMMITTEE  
RECOMMENDS APPROVAL – FIRST READING)**

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2035. Councilmember Hurt made a motion, seconded by Councilmember Brown, to amend Section VII-D-Access. Much discussion ensued. City Attorney Beach was instructed to work out the language with the attorneys representing the petitioner. A roll call vote was taken with the following results – Ayes – Scheidt, Streeter, Flachsbart, Geiger, Durrell, Casey, Brown and Hurt. Mayor Nations declared the motion on the amendment passed. A voice vote was then taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2035 was read for the first time.

BILL NO. 2040

ADDS, CHANGES AND DELETES PORTIONS OF SECTION 1003.187 PLANNED ENVIRONMENT UNIT PROCEDURE (PEU) OF THE CITY OF CHESTERFIELD

ZONING ORDINANCE (P.Z. 37 – 2001, CITY OF CHESTERFIELD) (**FIRST READING**)

Councilmember Scheidt made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 2040. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2040 was read for the first time.

BILL NO. 2041

APPROVES A BOUNDARY ADJUSTMENT PLAT OF ORIGINAL LOTS 3, 4 AND 5 OF CHESTERFIELD COMMONS NORTH, AND NEW PARCEL 2, CREATING ADJUSTED LOTS 3, 4, 5 AND ADJUSTED NEW PARCEL 2, COVERING 21.62 ACRES IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH – RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. (**DEPARTMENT OF PLANNING RECOMMENDS APPROVAL – FIRST AND SECOND READINGS**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2041. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2041 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2041. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2041 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2041, with the following results: Ayes – Geiger, Casey, Scheidt, Flachsbart, Brown, Streeter, Durrell, and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2041 approved, passed it and it became **ORDINANCE NO. 1817**.

### **ADJOURNMENT**

Councilmember Streeter 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 8:08 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk