



RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
FEBRUARY 2, 1998

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The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood  
Councilmember Barry Flachsbart  
Councilmember Allan Sheppard  
Councilmember Barry Streeter  
Councilmember Larry Grosser  
Councilmember Dan Hurt  
Councilmember Alan Politte  
Councilmember Linda Tilley  
Councilmember Mary K. Brown

ABSENT

None

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Brian Weber and Kevin Weber. Also in attendance was Troop Leader Robert Weber.

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

APPROVAL OF MINUTES

The minutes of the January 21, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Streeter, to approve the minutes. A voice vote was taken with an affirmative result (Councilmembers Politte and Tilley “Abstained”) and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nancy Greenwood commended Chief Ray Johnson and the Police Department for the very successful fund-raising event, Cops and Kids Celebrity Basketball Game, which raised funds for the Missouri Special Olympics.

Mayor Greenwood announced that candidate filing for the April 7 municipal election was over and the following candidates had qualified for the election:

Ward I – Councilmember Barry Flachsbart

Ward II – Councilmember Larry Grosser

Ward III – Mike Casey and Michael S. Schmidt

Ward IV – Councilmember Linda Tilley

Mayor Greenwood announced that the next meeting of City Council has been scheduled for Wednesday, Feb. 18 at 7 p.m., due to Presidents Day Holiday falling on Monday.

Councilmember Linda Tilley commended Mayor Greenwood for being selected to participate in The Mayors Institute on City Design: Midwest. Councilmember Barry Flachsbart suggested that the Mayor's final report from the Institute be placed on the Planning and Zoning Committee agenda for discussion.

Councilmember Barry Streeter congratulated Chesterfield residents, Clayton and Betty Hathaway, on the celebration of their 48<sup>th</sup> wedding anniversary.

## **COMMUNICATION AND PETITIONS**

Jackie Bangert, who resides at 215 Wildhorse Springs Court, expressed concern regarding her new unfinished house, due to the workmanship and lack of response from the builder, Kelly Homes, and requested support from the City.

Stephen and Marcia Price, who reside at 208 Woodcliffe Place Drive, expressed, once again, their concern because their new home cannot be brought into code compliance, due to the workmanship and lack of response from the builder, Kelly Homes, and requested support from the City.

Some discussion ensued regarding this situation. City Attorney Doug Beach commented that the City does not inspect the finish grading of property, but that the City inspects for drainage and swails. The building inspections are contracted with and provided to the City by St. Louis County. In addition, Mr. Beach suggested that the homeowners who have problems with the construction of their homes contact their title companies for resolution.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill Nos. 1498 – 1500 and 1502 – 1504 will be considered for adoption under the Legislation portion of the agenda. Councilmember Flachsbart expressed his opposition to Bill No. 1503 which vacates a right-of-way and would make this street a private street.

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

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

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, announced that the next meeting of this Committee has been scheduled for Feb. 9 at 5:30 p.m. Councilmember Flachsbart noted for those in attendance that there will be no public hearing that night regarding the Page Avenue Extension, as erroneously reported in the newspaper.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported a liquor license request has been received from Cecil Whittakers Pizza and Pasta, located at 1722 Clarkson Road, formerly Cafe Paradisso. They are requesting to sell wine and beer by the drink to be consumed on the premise and Sunday sales. The prorated fee for this license is \$143.56. This application has been reviewed and approved by the Police Department and the Department of Planning. A motion was made by Councilmember Grosser, seconded by Councilmember Tilley, to approve the liquor license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next announced that the Government Center will be closed on Monday, Feb. 16 in observance of President's Day.

## **NEW BUSINESS**

There was no new business.

## **LEGISLATION**

BILL NO. 1498	AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1186 FOR A NEW AMENDED ORDINANCE RELATING TO A PLANNED ENVIRONMENT UNIT (PEU) IN THE "R-1" ONE ACRE RESIDENCE DISTRICT AND "FPR-1" FLOOD PLAIN ONE ACRE RESIDENCE DISTRICT; SOUTH SIDE OF WILD HORSE CREEK ROAD, WEST OF WILDHORSE PARKWAY (P.Z. 10 & 11-96 L.A.C. CORP. & WILD HORSE SUMMIT DEVELOPMENT CORPORATION	-
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GREYSTONE/GREYSTONE ADDITION) (PLANNING AND ZONING COMMITTEE AND PLANNING COMMISSION RECOMMEND APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1498. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1498 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1498. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1498 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1498, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1498 approved, passed it and it became **ORDINANCE NO. 1369.**

BILL NO. 1499 AMENDS ST. LOUIS COUNTY ORDINANCE NO. 12,341, AS AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 12,821, FOR A NEW AMENDED ORDINANCE RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT DEVELOPMENT LOCATED ON THE NORTH SIDE OF CONWAY ROAD, WEST OF CHESTERFIELD PARKWAY NORTH (P.C. 178-85 A & O INVESTMENTS – RESIDENCE INN) (PLANNING AND ZONING COMMITTEE AND PLANNING COMMISSION RECOMMEND APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1499. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1499 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1499. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1499 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1499, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1499 approved, passed it and it became **ORDINANCE NO. 1370.**

BILL NO. 1500 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1228 FOR A NEW AMENDED ORDINANCE RELATING TO A "C-3" SHOPPING DISTRICT DEVELOPMENT LOCATED ON THE EAST SIDE OF CHESTERFIELD AIRPORT ROAD, NORTH OF BONHOMME CREEK (P.Z. 34-96, OLD SMOKE HOUSE INVESTMENT GROUP, L.L.P. – THE VALLEY FORUM/CHESTERFIELD GROVE) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1500. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1500 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1500. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1500 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1500, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1500 approved, passed it and it became **ORDINANCE NO. 1371.**

**BILL NO. 1502** AMENDS ST. LOUIS COUNTY ORDINANCE NO. 13,481 WHICH GOVERNS A “C-8” PLANNED COMMERCIAL DISTRICT AND “FPC-8” FLOOD PLAIN PLANNED COMMERCIAL DISTRICT FOR A 3.0 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF NORTH OUTER FORTY ROAD, WEST OF BOONE’S CROSSING STREET (P.Z. 25-97, JOHN J. AND CAROLINE A. WILLIAMS) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1502. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1502 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1502. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1502 was read for the second time. A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, to amend Attachment A, Page 2, Specific Criteria to read as follows: “The above Site Development Plan shall illustrate adherence to the Preliminary Plan as presented to the City Council and marked Exhibit 1 and the following specific design criteria.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 1502, as amended, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1502 approved, passed it and it became **ORDINANCE NO. 1372.**

**BILL NO. 1503** VACATES THE RIGHT-OF-WAY FOR SILVERTHORNE LANE IN WOODCLIFFE PLACE SUBDIVISION, LOCATED IN U.S. SURVEY 125, TOWNSHIP 45 NORTH-RANGE 4 EAST, AS RECORDED IN PLAT BOOK 306, PAGE 28 OF SAINT LOUIS COUNTY RECORDS (PLANNING DEPARTMENT STAFF RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1503. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1503 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1503. Councilmember Flachsbart stated his intention to vote “No,” as he believes that the creation of private streets, similar to this situation, could set a precedence. A voice vote was taken with an affirmative result (Councilmember Streeter voted “No”) and the motion was declared passed. Bill No. 1503 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1503, with the following results: Ayes - Grosser, Hurt, Politte, Tilley and Brown. Nays - Flachsbart, Sheppard, Streeter. Whereupon Mayor Greenwood declared Bill No. 1503 approved, passed it and it became **ORDINANCE NO. 1373.**

**BILL NO. 1504** APPROVES THE TRANSFER OF A CERTAIN PARCEL OF LAND LOCATED AT OR NEAR THE INTERSECTION OF KEHRS MILL ROAD AND CLARKSON ROAD FROM THE CITY OF CHESTERFIELD TO THE CITY OF CLARKSON VALLEY; SUBMITTING A PROPOSAL FOR THE SAME TO ST. LOUIS COUNTY BOUNDARY COMMISSION THEREBY CHANGING THE CITY OF CHESTERFIELD’S BOUNDARIES WITH THE CITY OF CLARKSON VALLEY

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for the first reading of Bill No. 1504. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1504 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill No. 1504. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1504 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1504, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1504 approved, passed it and it became **ORDINANCE NO. 1374.**

**ADJOURNMENT**

Mayor Nancy Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Grosser, seconded by Councilmember Sheppard, to adjourn the meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:50 p.m.

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Mayor Nancy Greenwood

ATTEST:

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Martha L. DeMay, City Clerk

