

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD

February 21, 2001

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember John Nations
Councilmember Dan Hurt
Councilmember Mary K. Brown
Councilmember Charles Scheidt

ABSENT

Councilmember Mike Casey

The Pledge of Allegiance was led by Girl Scout Troop #111 from Parkway Central Middle School: Molly Anderson, Elizabeth Bellow, Devon Cramer, Hannah Deck, Melanie Guenther, Karen Michelson, Susan Reina and Emily Sprague. Also in attendance were Troop Leaders Jill Anderson and Lynn Reina.

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

APPROVAL OF MINUTES

The minutes of the February 21, 2001, City Council meeting were submitted for approval. Councilmember Streeter made a motion to approve the City Council minutes. Councilmember Durrell seconded the motion. A voice vote was taken with an affirmative result (Councilmember Flachsbart "Abstained") and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood announced that the City of Chesterfield had, once again, received the Tree City USA award for its conservation of trees within the community. She

complimented the work of Holly Welch, Recreation Coordinator.

Mayor Greenwood next presented Ms. Lauren Strutman and Mr. Dick Busch with the Citizen of the Year Award for their preserving historic buildings and areas in the City. Mayor Greenwood also recognized the members of the Historical Commission, who were in attendance.

Mayor Greenwood left the meeting at 7:20 p.m. and President Pro Tem Dan Hurt presided over the meeting as Acting Mayor. In addition, Councilmember Streeter also left the meeting at 7:20 p.m.

COMMUNICATIONS AND PETITIONS

Ted Allison, who resides at 2126 Chesterfield Place, supported the proposed Charter.

Councilmember Barry Flachsbart issued a Press Release, which stated his support of the proposed Charter.

Bill Biermann, 16020 Swingley Ridge Road, supported Bill No. 1918, P.Z. 38-2000, Waller - Hoch Corporate Park.

Millie Hill, who resides at 46 Witmer Drive, supported the proposed Charter.

Steve Koslovsky, 168 N. Meramec, attorney for the petitioner, supported Bill Nos. 1926 and 1927, P.Z.19-1999, Chesterfield Village.

Justin Ungerboeck, who resides at 2179 Cedar Forest Court, presented a pledge pertaining to the proposed Charter to be signed by the Mayor and City Council, candidates running for Councilmember in the April election and Charter Commissioners.

Dick Shaiper, developer, who resides at 15 West Drive, supported Bill No. 1928, P.Z. 39-2000, Boones Crossing Gold Center.

Connie Fults, who resides at 129 Brighthurst, supported the proposed Charter.

Allan Sheppard, who resides at 826 Judson Manor Drive, supported the proposed Charter.

Royce Engel, who resides at 135 Ridgecrest, represented the Chesterfield Association for Informed Residents (CAIR) and supported the proposed Charter.

Mike Schmidt, who resides at 1929 Cedarmill Drive, expressed his support for Bill No. 1919, which establishes the Landmarks Preservation Commission and for the proposed Charter.

Linda Tilley, who resides at 1926 Grayson Ridge Court, supported the proposed Charter.

Marcia McDonald, who resides at 14986 Chateau Village Drive, opposed the proposed Charter.

Bob Grant, who resides at 14721 Westerly Place, opposed the proposed Charter.

Laura Lueking, who resides at 15021 Conway Road, supported the proposed Charter.

Marcia McDonald read a statement on behalf of John Hammond, which opposed the proposed Charter.

Jade Bute, who resides at 15593 Bedford Forge, opposed the proposed Charter.

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1912 (P.Z. 45-2000, City of Chesterfield), Bill No. 1914 (P.Z. 33-2000, Danna Development, LLC), Bill No. 1916 (P.Z. 12-1999, Kramer Assets Group, LLC and Kramer Properties, LLC), Bill No. 1918 (P.Z. 38-1999, Waller – Hoch Corporate Park), Bill No. 1919 (Landmarks Preservation Commission), Bill No. 1932 (Record plat – 16911 Wild Horse Creek Road) and Bill No. 1933 – Record plat – Lot 3, Wild Horse Ridge) will be considered for adoption under the “Legislation - Planning Commission” portion of the agenda. Bill No. 1927 (P.Z. 19-2000, Chesterfield Village), Bill No. 1928 (P.Z. 39-2000, Boone’s Crossing Golf Center), Bill No. 1929 (P.Z. 36-2000, City of Chesterfield Planning Commission) and Bill No. 1931 (P.Z. 37-2000, City of Chesterfield Planning Commission) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for February 22 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Mary Brown, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1920 (accepts public streets in Oak Creek), Bill No. 1922 (adds Edison Avenue to list of through streets), Bill No. 1923 (creates stop intersections at Edison Avenue and Chesterfield Industrial Blvd.) and Bill No. 1924 (re-establishes stop

signs at the intersection of Schoettler Valley and Highcroft) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for February 27 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring announced, on behalf of Chairperson Barry Streeter, that the next meeting of the Finance and Administration Committee has been scheduled for February 28 at 5:30 p.m.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel is recommending that a change order, in the amount of \$123,550, for additional storm and sanitary sewer work at the new Government Center, be approved by City Council. The original contract for this work was with Fred Luth and Sons, in an amount of \$376,698. This change order will increase that total contract authorization to \$500,248. Mr. Herring noted that the cost of this change order is within the current project budget and sufficient funds exist to cover this entire cost. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to approve the change order with Fred Luth and Sons, in an amount of \$123,550, for additional storm and sanitary sewer work at the new Government Center. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1920 PERTAINS TO ACCEPTANCE OF PUBLIC STREETS WITHIN OAK CREEK MEADOWS IN THE CITY OF CHESTERFIELD (SECOND READING – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1920. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1920 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1920, with the following results: Ayes – Nations, Flachsbart, Brown, Durrell, Scheidt and Hurt. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1920 approved, passed it and it became **ORDINANCE NO. 1711.**

BILL NO. 1921 AMENDS ORDINANCE NO. 35, SCHEDULE V, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING EDISON AVENUE, EAST OF GODDARD AVENUE, TO SAID

**SCHEDULE V (SECOND READING - PUBLIC WORKS/PARKS
COMMITTEE APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1921. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. (Councilmember Streeter re-joined the meeting at 8 p.m.) Bill No. 1921 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1921, with the following results: Ayes – Durrell, Flachsbart, Nations, Streeter, Hurt, Scheidt, and Brown. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1921 approved, passed it and it became **ORDINANCE NO. 1712.**

BILL NO. 1923 AMENDS ORDINANCE NO. 35, SCHEDULE VI, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR STOP SIGNS AT THE INTERSECTION OF EDISON AVENUE AND CHESTERFIELD INDUSTRIAL BOULEVARD PROVIDED THERETO (**SECOND READING - PUBLIC WORKS/PARKS COMMITTEE APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1923. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1923 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1923, with the following results: Ayes – Scheidt, Flachsbart, Hurt, Brown, Durrell, Nations and Streeter. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1923 approved, passed it and it became **ORDINANCE NO. 1713.**

BILL NO. 1924 AMENDS ORDINANCE NO. 35, SCHEDULE VI AND SCHEDULE VII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY ADDING A PROVISION FOR STOP SIGNS AND DELETING A PROVISION FOR YIELD SIGNS AT THE INTERSECTION OF HIGHCROFT DRIVE AND SCHOETTLER VALLEY DRIVE THERETO (**SECOND READING - PUBLIC WORKS/PARKS COMMITTEE APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1924. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1924 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1924, with the following results: Ayes – Flachsbart, Brown, Durrell, Nations, Scheidt, Hurt, and Streeter. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1924 approved, passed it and it became **ORDINANCE NO. 1714.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 1912

AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-3” 10,000 SQUARE-FOOT RESIDENCE DISTRICT FOR 1.20 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF CONWAY ROAD, NORTH OF THE FUTURE FORTY WEST II OFFICE BUILDING (SOLOMON II) (P.Z. 45-2000, CITY OF CHESTERFIELD (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**))

Councilmember Hurt made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1912. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1912 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1912, with the following results: Ayes – Hurt, Flachsbart, Scheidt, Durrell, Streeter, Nations and Brown. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1912 approved, passed it and it became **ORDINANCE NO. 1715**.

BILL NO. 1914

REQUEST FOR A CHANGE IN ZONING FROM “M-3” PLANNED INDUSTRIAL DISTRICT TO “PI” PLANNED INDUSTRIAL DISTRICT FOR A 21.6 ACRE TRACT OF LAND LOCATED SOUTH OF INTERSTATE 40, NORTH OF CHESTERFIELD AIRPORT ROAD, WEST OF LONG ROAD AND WEST OF CEPI DRIVE (P.Z. 33-2000, CHESTERFIELD EXCHANGE, L.L.C. – DANNA DEVELOPMENT) (**SECOND READING, AS AMENDED – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Hurt made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1914. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1914 was read for the second time. Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 1914, Attachment A, Section 2 Paragraph A(3), to read “117,200 sq. ft.” A roll call vote was taken with the following results: Ayes – Hurt, Nations, Flachsbart, Scheidt, Streeter, Durrell and Brown. Acting Mayor Hurt declared the motion passed. A roll call vote was taken for passage and approval of Bill No. 1914, as amended, with the following results: Ayes – Hurt, Nations, Flachsbart, Scheidt, Streeter, Durrell, and Brown. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1914 approved, passed it and it became **ORDINANCE NO. 1716**.

BILL NO. 1916

REQUEST FOR A CHANGE IN ZONING FROM “M-3” PLANNED INDUSTRIAL DISTRICT TO “PI” PLANNED INDUSTRIAL DISTRICT FOR A 19.8 ACRE TRACT OF LAND LOCATED SOUTH OF INTERSTATE 40, NORTH OF CHESTERFIELD AIRPORT ROAD, WEST OF LONG

ROAD, AND EAST OF GODDARD (P.Z. 12-2000, KRAMER ASSETS GROUP) (**SECOND READING, AS AMENDED** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Scheidt, for a second reading of Bill No. 1916. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1916 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1916, with the following results: Ayes – Streeter, Nations, Hurt, Scheidt, Durrell, Brown and Flachsbart. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1916 approved, passed it and it became **ORDINANCE NO. 1717.**

BILL NO. 1918 REQUEST FOR A CHANGE IN ZONING FROM “M-3” PLANNED INDUSTRIAL DISTRICT TO “PI” PLANNED INDUSTRIAL DISTRICT FOR A 9.5 ACRE TRACT OF LAND LOCATED SOUTH OF INTERSTATE 40, NORTH OF CHESTERFIELD AIRPORT ROAD, WEST OF LONG ROAD, AND ACROSS FROM THE INTERSECTION AT SPIRIT DRIVE (P.Z. 38-2000, WALLER-HOCH CORPORATE PARK) (**SECOND READING, AS AMENDED** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Hurt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1918. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1918 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1918, with the following results: Ayes – Scheidt, Brown, Flachsbart, Streeter, Nations, Hurt, and Durrell. Nays - None. Whereupon Acting Mayor Hurt declared Bill No.1918 approved, passed it and it became **ORDINANCE NO. 1718.**

BILL NO. 1919 ESTABLISHES A LANDMARKS PRESERVATION ORDINANCE OF THE CITY OF CHESTERFIELD, MISSOURI TO INCLUDE A LANDMARKS PRESERVATION COMMISSION (**SECOND READING, AS AMENDED** – PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1919. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1919 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1919, with the following results: Ayes – Streeter, Durrell, Flachsbart, Scheidt, Hurt, Brown and Nations. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1919 approved, passed it and it became **ORDINANCE NO. 1719.**

BILL NO. 1927 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR A 9.096 ACRE TRACT OF LAND LOCATED ON CHESTERFIELD PARKWAY EAST, EAST OF ELBRIDGE PAYNE ROAD AND SOUTH OF CLARKSON ROAD (P.Z. 19-1999, CHESTERFIELD VILLAGE) **(FIRST READING - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1927. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1927 was read for the first time. Councilmember Nations made a motion, seconded by Councilmember Streeter, to amend Bill No. 1927, Attachment A, Section 2A, 7H to read “Building C, the six story structure, shall be separated from the nearest residential dwelling by a distance of not less than 1000 ft.” A roll call vote was taken with the following results: Ayes – Durrell, Streeter, Hurt, Nations, Flachsbart, Brown and Scheidt. Nays – None. Acting Mayor Hurt declared the motion passed.

BILL NO. 1928 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “M-3” PLANNED INDUSTRIAL DISTRICT TO A “PC” PLANNED COMMERCIAL FOR A 29.07 ACRE TRACT OF LAND LOCATED ON NORTH OUTER FORTY, WEST OF LONG ROAD (P.Z. 39-2000, BOONES CROSSING GOLF CENTER) **(FIRST READING - PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1928. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1928 was read for the first time.

BILL NO. 1929 AMENDS SECTION 1005.270 OF THE CITY OF CHESTERFIELD SUBDIVISION ORDINANCE TO REQUIRE WIDER SIDEWALKS ON HIGH-VOLUME STREETS AND ADJACENT TO OBSTRUCTIONS AND AMENDS SECTION 1005.180 OF THE CITY OF CHESTERFIELD SUBDIVISION ORDINANCE TO REQUIRE INSTALLATION OF SLEEVES FOR FUTURE WATER AND ELECTRIC SERVICE AND TELECOMMUNICATION SERVICE (P.Z. 36-2000, CITY OF CHESTERFIELD) **(FIRST READING - PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1929. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1929 was read for the first time.

BILL NO. 1931 AMENDS SECTION 1003.300 OF THE CITY OF CHESTERFIELD ZONING ORDINANCE TO REQUIRE VERIFICATION OF MEETING WITH RESIDENTS PRIOR TO PUBLIC HEARING AND REQUIRES PERSPECTIVES AND/OR 3-D MODELS WHEN NEEDED AND AMENDS SECTION 1003.167 OF THE CITY OF CHESTERFIELD ZONING ORDINANCE TO REQUIRE INSTALLATION OF SLEEVES FOR FUTURE TELECOMMUNICATION SERVICE (P.Z. 37-2000, CITY OF CHESTERFIELD (**FIRST READING - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**))

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1931. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1931 was read for the first time.

BILL NO. 1932 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR THE LOT AT 16911 WILD HORSE CREEK ROAD (**FIRST AND SECOND READINGS**)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1932. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1932 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1932. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1932 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1932, with the following results: Ayes – Durrell, Flachsbart, Nations, Streeter, Scheidt, Brown and Hurt. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1932 approved, passed it and it became **ORDINANCE NO. 1720**.

BILL NO. 1933 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR THE MINOR SUBDIVISION OF LOT 3, WILDHORSE RIDGE, LOCATED ON ROOSTER RIDGE DRIVE, SOUTH OF WILDHORSE CREEK ROAD, FOR A 8.337 ACRE TRACT OF LAND IN THE “NU” NON-URBAN DISTRICT (**FIRST AND SECOND READINGS**)

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1933. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1933 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1933. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1933 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1933, with the following results: Ayes – Hurt, Durrell, Nations, Brown, Scheidt, Streeter and Flachsbart. Nays - None. Whereupon Acting Mayor Hurt declared Bill No. 1933 approved, passed it and it became **ORDINANCE NO. 1721**.

ADJOURNMENT

Acting Mayor Hurt entertained a motion to adjourn the meeting. Councilmember Streeter made a motion to adjourn the meeting. Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:20 p.m.

Acting Mayor Daniel I. Hurt

ATTEST:

Martha L. DeMay, City Clerk