



RECORD OF PROCEEDING

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

MARCH 6, 2000

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley
Councilmember Mary K. Brown

None

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: John Sander, Mike Mushkin, Ben Walker and David Rigden. Also in attendance was their Troop Leader.

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

APPROVAL OF MINUTES

The minutes of the February 23, 2000, City Council meeting were submitted for approval. Councilmember Tilley made a motion to approve the City Council minutes. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood presented a proclamation to the Chairperson of the Drug Abuse Task Force, Derek Rudman, and Chairperson of Drug Awareness Day, Irv Bierman, in recognition of the Committee's efforts for the very successful Drug Awareness Day, which was held at Chesterfield Mall, March 4. Councilmember Casey encouraged everyone to attend the event again next year. Councilmember Streeter also commended the Chairpersons and the Committee for their efforts in this worthwhile project.

The Mayor also presented a proclamation to the Fine Arts Coordinators of the Parkway and Rockwood School Districts, respectively, Patti Riggle and Gary Blaylock, in recognition of "Music in Our Schools Month."

Mayor Greenwood next presented a proclamation to Melissa Schapiro in recognition for the Prudential Spirit of Community Award she recently received for her volunteerism.

Mayor Greenwood next urged everyone to VOTE Tuesday, March 7, in the Presidential Primary.

Mayor Greenwood next announced that the League of Women Voters, Chesterfield Community Institute and Chesterfield Residents Association are sponsoring a forum, free of charge, for residents of the community to learn more about the Home Rule Charter process and candidates. The forum will be held March 28 at 7 p.m. at the YMCA.

APPOINTMENTS

There were no appointments.

COMMUNICATIONS AND PETITIONS

Ted Allison, who resides at 2126 Chesterfield Place, requested that the new Government Center be installed with a cable system, in order for elected officials to better communicate with the residents.

David J. Wrobel, who resides at 110 Shady Valley Drive, opposed Bill No. 1780, which prohibits signs in the rights of way. It was his opinion that the proposed ordinance violated freedom of speech.

Burt Follman, developer of Baxter Center, thanked the Planning Department and the Planning and Zoning Committee for working with him on the proposed signage at Baxter Center.

Lee Wall, who resides at 14759 Plumas, opposed Bill No. 1780, which prohibits signs in the rights of way. It was his opinion that this issue is addressed in other City ordinances.

Wendy Geckeler, who resides at 26 Chestefield Lakes, supported the proposed Government Center and justified the cost as an investment for the City and a tremendous benefit for the residents.

John Hammond, who resides at 1703 Walnut Hill Farms, supported the purchase of land and building the new Government Center and urged City Council to build a facility that the residents can be proud of.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1781, regarding the acceptance of public streets within Picardy Subdivision and Bill No. 1784, which approves the installation of fire hydrants in Miramonte and Nooning Tree Subdivisions, would 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 March 22 at 5:30 p.m.

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Bill No. 1783, which authorizes the purchase of .96 acres of land from Monsanto to be acquired for City roads, will be considered for adoption under the “Legislation” portion of the agenda. He further noted that funds for the construction costs for the roads would come from the “R” & “S” Fund. Both readings for this legislation are required due to the closing on the property taking place prior to the next City Council meeting.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that the next meeting of this Committee has been scheduled for March 8 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1780 (prohibits the placement of signs within the rights-of-way), Bill No. 1785 (Baxter Center ordinance amendment), Bill No. 1786 (Busch-Strutman, L.L.C. ordinance amendment) and Bill No. 1787 (T. K. Properties, L.L.C. ordinance amendment), will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda. Discussion ensued regarding change in language and correction in errors in Bill No. 1780.

Councilmember Brown announced the next meeting of this Committee has been scheduled for March 9 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Par Oil, Inc., d/b/a/ Gator Flats, located at 119 Long Road, is requesting to sell all kinds of liquor in the original packages and Sunday sales. Fees for the licenses will be prorated to June 30, 2000. The application has been reviewed and approved by the Police and Planning Departments. Councilmember Tilley made a motion, seconded by Councilmember Streeter, to approve the liquor license request. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next noted that as was discussed with City Council February 23, 2000, when approval was given, in Executive Session, for the adoption of a new classification/compensation pay plan, budget transfers would need to be approved by City Council in order to fund the total cost of adopting this new plan. No new funds are necessary to cover the costs associated with the implementation of this plan, due to budget cuts identified by staff. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to approve the budget transfers to cover the adoption of the new classification and compensation pay plan. 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. 1781 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN PICARDY SUBDIVISION, PLAT 3 IN THE CITY OF CHESTERFIELD (**SECOND READING** – PUBLIC WORKS/PARKS COMMITTEE)

Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 1781. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1781 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1781, with the following results: Ayes – Brown, Hurt, Streeter, Flachsbart, Casey, Durrell, and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1781 approved, passed it and it became **ORDINANCE NO.1604.**

BILL NO. 1783 AUTHORIZES THE CITY ADMINISTRATOR TO ACT ON BEHALF OF THE CITY TO PURCHASE REAL PROPERTY FOR A CITY GOVERNMENT CENTER (**FIRST AND SECOND**

READINGS – FINANCE AND ADMINISTRATION COMMITTEE)

Councilmember Streeter made a motion, seconded by Councilmember Brown, for the first reading of Bill No.1783. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed. Bill No. 1783 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Hurt, to suspend the rules for the second reading of Bill No. 1783. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1783. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1783 was read for the second time. Councilmember Brown requested clarification regarding the reason for two readings of Bill No. 1783. City Attorney Beach stated that the closing will happen before the March 20, 2000 City Council meeting. A roll call vote was taken for passage and approval of Bill No. 1783, with the following results: Ayes – Streeter, Hurt, Flachsbart, Casey, Durrell, Brown and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1783 approved, passed it and it became **ORDINANCE NO. 1605.**

BILL NO. 1784 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN MIRAMONTE AND NOONING TREE SUBDIVISIONS, LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READINGS – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Flachsbart made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1784. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1784 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 1784. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1784 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1784, with the following results: Ayes – Flachsbart, Casey, Hurt, Streeter, Brown, Tilley and Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1784 approved, passed it and it became **ORDINANCE NO.1606.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 1780 PROHIBITS THE PLACING OF SIGNS WITHIN THE RIGHT-OF-WAY AND ESTABLISHING THE CITY OF CHESTERFIELD'S AUTHORITY TO REMOVE ANY AND ALL SIGNS PLACED IN THE RIGHTS-OF-WAY. (**SECOND READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1780 as corrected. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1780 was read for the second time. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to propose an amendment to Bill No. 1780, Section 2, to read as follows: "Any person convicted under the provisions of this ordinance shall be given a warning. Any person convicted under the provisions of this ordinance for a second offense may be punished upon conviction by a fine of not less than Five Dollars (\$5.00) nor more than One Hundred Dollars (\$100.00). Such conviction shall be deemed a misdemeanor. Any person convicted under the provisions of this ordinance for a subsequent offense may be punished by a fine of not less than Fifty Dollars (\$50.00) and not more than Five Hundred Dollars (\$500.00)." Councilmember Hurt asked Councilmember Flachsbart to amend the amount of Five Hundred Dollars (\$500.00) to Two Hundred Fifty Dollars (\$250.00). Councilmember Flachsbart agreed to this amendment.

City Administrator Herring requested that Councilmember Flachsbart clarify his intentions regarding the enforcement of this ordinance. City Administrator Herring stated that the Police Department would have the best opportunity to enforce the ordinance and has the mechanism to issue warning tickets, and any other area of the operation would necessitate adding administrative responsibility they do not presently have. Councilmember Flachsbart stated that Section 1.(c) of the ordinance addresses enforcement. Councilmember Hurt stated that he thought the City presently had the ability to remove signs placed in the rights-of-way. Councilmember Flachsbart stated that the City can only remove signs from the City of Chesterfield's rights-of-way and this ordinance would pertain to all public rights-of-way within the City of Chesterfield. Discussion ensued.

Councilmember Tilley requested that copies of the passed ordinance be sent to all neighboring jurisdictions, school districts, fire districts, Special School District, and St. Louis County and State.

A voice vote was taken with a unanimous affirmative result and the amendment was declared passed.

A roll call vote was taken for passage and approval of Bill No. 1780, as amended, with the following results: Ayes - Tilley, Streeter, Brown, Flachsbart, and Durrell. Nays - Casey and Hurt. Whereupon Mayor Greenwood declared Bill No. 1780, as amended, approved, passed it and it became **ORDINANCE NO. 1607**.

BILL NO. 1785 AMENDS ST. LOUIS COUNTY ORDINANCE NO. 8699, AS AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 12660, AND APPROVES A NEW AMENDED ORDINANCE RELATING TO A "C8" PLANNED COMMERCIAL DISTRICT LOCATED ON CLAYTON ROAD, APPROXIMATELY 400 FEET EAST OF

BAXTER ROAD (P.Z. 137-1977, CONWAY LAND COMPANY)
**(FIRST AND SECOND READINGS - PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Tilley, for the first reading of Bill No.1785. Bill No. 1785 was read for the first time. Councilmember Casey made a motion, seconded by Councilmember Hurt, to table the second reading of Bill No. 1785 for further review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 1786 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1596 FOR A NEW AMENDED ORDINANCE RELATING TO A "PC" PLANNED COMMERCIAL DISTRICT AND LANDMARK PRESERVATION AREA (LPA) FOR A .6 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF BAXTER ROAD EXTENSION (P.Z. 38 & 39-1999, BUSCH-STRUTMAN) **(FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No.1786. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1786 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1786. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1786 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1786, with the following results: Ayes – Durrell, Brown, Casey, Hurt, Tilley, Streeter and Flachsbart. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1786 approved, passed it and it became **ORDINANCE NO. 1608.**

BILL NO. 1787 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1565 FOR A NEW AMENDED ORDINANCE RELATED TO A "PC" PLANNED COMMERCIAL DISTRICT AND LANDMARK PRESERVATION AREA (LPA) FOR A .32 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF BAXTER ROAD EXTENSION (P.Z. 23 & 24-1999, T.K. PROPERTIES) **(FIRST AND SECOND READINGS - PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1787. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1787 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1787. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1787 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1787, with the following results: Ayes – Durrell, Streeter, Flachsbart, Tilley, Brown, Hurt and Casey. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1787 approved, passed it and it became **ORDINANCE NO. 1609**.

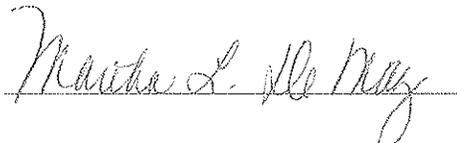
ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Hurt made a motion to adjourn the meeting to go into Executive Session (closed meeting) to discuss RSMo610-021 (1) litigation. Councilmember Casey seconded the motion. A roll call vote was taken with the following results: Ayes – Flachsbart, Durrell, Streeter, Hurt, Casey, Tilley and Brown. Nays – None. The motion was declared passed. The meeting was adjourned at 8:30 p.m.



Mayor Nancy Greenwood

ATTEST:



Martha L. DeMay, City Clerk