



RECORD OF PROCEEDING

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

March 19, 2008

The meeting was called to order at 7:08 p.m.

Mayor Nations led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

CITIZEN OF THE YEAR PRESENTATION

Mayor Nations presented the 2007 "Citizen of the Year" award to Mr. Maurice (Bud) L. Hirsch, Chairperson of the Planning Commission. Mayor Nations stated that Mr. Hirsch has been a Planning Commissioner since 2003, a Board member of Chesterfield Arts since 1995, a member of the Architectural Review Board from 2000-2003, and a member of the Parks, Recreation and Arts Citizens Advisory Committee from 1988-2000. Mayor Nations commended Mr. Hirsch for his many years of community service. Mr. Hirsch's nomination was unanimously endorsed by the citizens serving on the "Citizen of the Year" committee.

Mayor Nations recognized former "Citizen of the Year" award recipients who were in attendance: Jade Bute, Dan Rothwell, Kay and Phil Folsom and Darcy Capstick.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

Councilmember Jane Durrell

APPROVAL OF MINUTES

The minutes of the March 3, 2008, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Nation, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations encouraged everyone in attendance to vote on Tuesday, April 8, in the Municipal Election.

Mayor Nations next announced that the next meeting of City Council has been scheduled for Wednesday, April 23, at 7 p.m.

Mayor Nations reported that the City had one of its strongest financial years, during 2007, with the closure of the Chesterfield Valley Tax Increment Financing (TIF) District, ten years ahead of schedule. Additionally, he noted that, as a direct reflection of the City's overall fiscal health, the City received Moody's "Aaa" bond rating, in February, 2008 – the only city in Missouri to receive that designation! Mayor Nations stated that assessed valuations have increased in the City and, based upon an analysis completed by Staff, the City will be able to reduce the Chesterfield property tax by 33 1/3% this year. Mayor Nations recognized City Administrator Mike Herring who reported that, subject to obtaining the latest assessed valuation from St. Louis County and subject to the State Auditor reviewing/approving Staff's calculation, Staff is comfortable and confident that the Mayor's request and direction to reduce the property tax rate from \$.06/\$100 to \$.04/\$100 will be accomplished without any problem. Councilmember Geiger, Chairperson of the Finance and Administration Committee, reported that the City

was able to refinance the Parks bonds at a lower interest rate because of Moody's "Aaa" bond rating and that the City opted to take the resulting savings "up front", which also contributes to the City's ability to reduce the City's property tax.

Mayor Nations stated that under the "New Business" portion of the Agenda, he intends to ask Council for a motion for the Council to endorse the direction that Staff pursue a reduction in the real property tax rate from \$.06/\$100 to \$.04/\$100.

COMMUNICATIONS AND PETITIONS

Mayor Nations recognized Mrs. Darcy Capstick, Co-Chairperson of the Citizens Committee for the Environment. Ms. Capstick announced the new "Signature Garden Program", which encourages the use of "native plants". Mrs. Capstick introduced the following speakers: Kay Folsom, Chair of the Beautification Committee; Stacey Morse, Executive Director of Chesterfield Arts; Perry Eckhardt of the Department of Conservation and Community Habitat Team Principal; and Mary Ann Fink, representing America in Bloom, National Wildlife Federation, Missouri Landscape and Nursery Association and Plants of Merit. Mrs. Capstick recognized Jeanne Clauson and Polly Rutherford of the Citizens Committee for the Environment in attendance at tonight's meeting. Mrs. Capstick also recognized the Community Habitat Team Partners in attendance: St. John's United Church of Christ and Dan Rothwell. At the request of Councilmember Geiger, Mayor Nations directed Mr. Herring to add discussion with the Citizens Committee for the Environment regarding the "Signature Garden Program" to the next Parks and Recreation Committee Agenda.

Mike Doster, attorney for the petitioner, stated he was available to answer questions on Bill No. 2625 (P.Z. 38-2007 Edison Crossing) and Bill No. 2626 (P.Z. 45-2007, Downtown Chesterfield). Mr. Doster requested that the following letter from Kathy Higgins, President of Sachs Properties, Inc. be read into the record:

"March 19, 2008

Honorable Mayor John Nations and Chesterfield City Council
690 Chesterfield Parkway West
Chesterfield, MO 63017

Re: Downtown Chesterfield

Dear Mayor and Councilmembers:

I am sorry that I could not attend tonight's meeting to witness the vote that is a historic first and major step toward the fulfillment of a dream for the City of Chesterfield. I say it is the "first" step because we realize as you realize that there is much work ahead of us to complete the dream of Downtown. It is also a "major" step because the passage of the Planned Commercial and Residential District Ordinance provides the foundation on which the future Downtown development will rest.

The foundation could not have been accomplished without the commitment, creativity, hard work and thoughtful cooperation of Administration, Staff, Planning Commissioners, and the elected officials of this City. Louis Sachs, the Sachs organization and the Downtown development team applaud all of you and all of them as we anticipate taking the next steps toward the fulfillment of the dream.

Sincerely,

SACHS PROPERTIES, INC.
Kathleen Higgins
President"

Mayor Nations expressed his appreciation to Kathy Higgins/Sachs Properties for this letter and stated the City looks forward to the continuing partnership with Sachs Properties on the development of "Downtown Chesterfield."

APPOINTMENTS

Mayor Nations nominated Doris Frazier, 17077 Church Road, for re-appointment as a member of the Human Rights Commission, and Jeff Boschert, 827 Judson Manor, for re-appointment as a member of the Public Works Citizens Advisory Group (PWCAG). Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to approve these re-appointments. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. Ms. Frazier's three-year term will expire May 15, 2011 and Mr. Boschert's five-year term will expire March 19, 2013.

COUNCIL COMMITTEE REPORTS

Planning and Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning and Public Works Committee, reported that Bill No. 2628 (Public Street Acceptance - Old Chesterfield Road), Bill No. 2625 (P.Z. 38-2007 - Edison Crossing), and Bill No. 2626 (P.Z. 45-2007 - Downtown Chesterfield), and will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next reported that Bill No. 2629 (Approves record plat for Spirit Valley Business Park) is scheduled for both first and second reading approval, under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for March 20 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that a liquor license request has been submitted by Petro Mart, 14898 Clayton Road, to sell liquor in the original package and Sunday sales. Mr. Herring next reported that a new liquor license has been requested by Satchmo's, 13375 Olive Blvd., due to a change in owners, to sell all kinds of liquor by-the-drink and Sunday sales. These applications have been reviewed and recommended for approval by the Department of Planning/Public Works and Police. Councilmember Casey made a motion, seconded by Councilmember Hurt, to approve issuance of the liquor licenses to Petro Mart and Satchmo's. A voice vote was taken with an affirmative result (7-0) and the motion was declared passed.

NEW BUSINESS

Mayor Nations reported that the City's property tax rate could be reduced 33% due to the City's ability to close the Valley TIF ten years ahead of schedule and due to the City's overall excellent fiscal condition, as reflected by Moody's awarding Chesterfield its “Aaa” bond rating. Councilmember Geiger made a motion, which was seconded by acclamation (all members of City Council participated), to direct Staff to lower the City's property tax from \$.06/\$100 to \$.04/\$100, subject to the City obtaining the latest assessed valuation numbers from St. Louis County and Staff's calculations being reviewed/approved by the State Auditor. A voice vote

was taken with a unanimous affirmative result (7-0) and the motion was declared passed.

LEGISLATION

BILL NO. 2628 PERTAINS TO THE ACCEPTANCE OF OLD CHESTERFIELD ROAD, BETWEEN BAXTER ROAD AND WILD HORSE CREEK ROAD, IN THE CITY OF CHESTERFIELD (**SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2628. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. Bill No. 2628 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2628 with the following results: Ayes – Casey, Nation, Erickson, Flachsbart, Hurt, Geiger and Fults. Nays – None. Whereupon Mayor Nations declared Bill No. 2628 approved, passed it and it became **ORDINANCE NO. 2447**.

LEGISLATION - PLANNING COMMISSION

BILL NO. 2625 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR AN 11.4 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST CORNER OF LONG ROAD AND EDISON AVENUE (P.Z. 38-2007 EDISON CROSSING {ED HOLTHAUS REALTY}) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL;, PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED, AS DETAILED IN THE ATTACHED "GREEN SHEET"**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2625. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. Bill No. 2625 was read for the second time. Councilmember Fults made a motion, seconded by Councilmember Casey, to amend Bill No. 2625 pursuant to a “white sheet” amendment, prepared by Staff. Mayor Nations asked Councilmember Fults to

confirm that the petitioner has no objections to the amendment and Councilmember Fults stated that the petitioner is “in full agreement.” A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. A roll call vote was taken for the passage and approval of Bill No. 2625, as amended, with the following results: Ayes – Geiger, Erickson, Casey, Nation, Hurt and Fults. Nays – Flachsbart. Whereupon Mayor Nations declared Bill No. 2625 approved, passed it and it became **ORDINANCE NO. 2448.**

BILL NO. 2626 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-8” PEU RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT PROCEDURE, “R-5” RESIDENCE DISTRICT, “FPR-5” RESIDENCE DISTRICT, “R-6A” PEU RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT PROCEDURE, “C-8” PLANNED COMMERCIAL DISTRICT, “NU” NON-URBAN DISTRICT AND “M-3” PLANNED INDUSTRIAL DISTRICT TO “PC & R” PLANNED COMMERCIAL & RESIDENTIAL DISTRICT FOR A 98.10 ACRE TRACT OF LAND LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF U.S. HIGHWAY 40/I-64 AND CHESTERFIELD PARKWAY WEST (P.Z. 45-2007 DOWNTOWN CHESTERFIELD – CHESTERFIELD VILLAGE INC.) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2626. A voice vote was taken with an affirmative result (6-0-1 - Councilmember Nation abstained) and the motion was declared passed. Bill No. 2626 was read for the second time. Mayor Nations recognized Richard Ward and Bob Volz and commended them for their involvement with the City of Chesterfield, throughout the City’s history and, specifically, for their work on the “Downtown Chesterfield” project. A roll call vote was taken for the passage and approval of Bill No. 2626 with the following results: Ayes – Fults, Hurt, Geiger, Casey, Flachsbart and Erickson. Nays – None. Abstentions – Nation. Whereupon Mayor Nations declared Bill No. 2626 approved, passed it and it became **ORDINANCE NO. 2449.**

BILL NO. 2629 PROVIDES FOR THE APPROVAL OF A RECORD PLAT AND ESCROWS FOR SPIRIT VALLEY BUSINESS PARK,

FOR A 52.82 ACRE TRACT OF LAND ZONED “PI”
PLANNED INDUSTRIAL DISTRICT, LOCATED
APPROXIMATELY 4,200 FEET WEST OF THE
INTERSECTION OF OLIVE STREET ROAD AND
CHESTERFIELD AIRPORT ROAD. **(FIRST AND SECOND
READINGS; PLANNING/PUBLIC WORKS
COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2629. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. Bill No. 2629 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2629. A voice vote was taken with a unanimous affirmative result (7-0) and the motion was declared passed. Bill No. 2629 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2629 with the following results: Ayes –Flachsbart, Hurt, Nation, Fults, Geiger, Erickson and Casey. Nays – None. Whereupon Mayor Nations declared Bill No. 2629 approved, passed it and it became **ORDINANCE NO. 2450.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:52 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggiar, City Clerk