RECORD OF PROCEEDING

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

May 2, 2005

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

Girl Scout Troop #646 from River Bend Elementary School led everyone in the Pledge of Allegiance: Bria Nathanson, Madelaine Azar, Jennifer Kaiser, Brittany Krontz, Mikayla Kennedy, Shannon Reader, Katie Goddard and Marie Richards. Also, in attendance were Troop Leaders: Elizabeth Nathanson and Julie Azar.

Mayor Nations led everyone in a moment of silent prayer.

A roll call was taken with the following results:

PRESENT	ABSENT
Mayor John Nations	None
Councilmember Barry Flachsbart	
Councilmember Jane Durrell	
Councilmember Barry Streeter	
Councilmember Bruce Geiger	
Councilmember Dan Hurt	
Councilmember Mike Casey	
Councilmember Mary K. Brown	
Councilmember Connie Fults	

APPROVAL OF MINUTES

The minutes of the April 18, 2005, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor John Nations congratulated Teresa Price, Director of Planning, for the fact that her Department was recognized by the St. Louis Section of the Missouri Chapter of the American Planning Association with an "Outstanding Planning Award for a Project, Program or Tool", for its "Planner of the Day" program. Ms. Price made a brief presentation and thanked the members of her Department who were actively involved in the submission of the application for this award.

Mayor Nations next congratulated the Citizens Committee for the Environment for co-hosting a very successful Arbor Day celebration with Town and Country, MO.

Mayor Nations next announced that the next meeting of City Council has been scheduled for May 16 at 7 p.m.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2345 (Pertains to the removal and disposal of animal waste) and Bill No. 2346 (Amends traffic schedules) will be considered for adoption under the Legislation portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for May 6 at 5:45 p.m.

Planning and Zoning Committee

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2347 (P.Z. 21-2004, Busch – Strutman, L.L.C, 16626 Chesterfield Airport Road), Bill No. 2348 (P.Z. 21-2004, Busch – Strutman, L.L.C, 16630 Chesterfield Airport Road) and Bill No. 2349 (P.Z. 08-2004, Bull Moose Tube) will be read for the first time and Bill No. 2350 (Clarkson Square) will be considered for adoption under the Legislation – Planning Commission" portion of the agenda.

Councilmember Casey next made a motion, seconded by Councilmember Brown, to approve a landscape plan for a vegetative buffer for the Chesterfield Ridge Subdivision and to have the two dead trees removed and bushes planted. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

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

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Staff was recommending that the City amend its current contract with X-L Contracting, in order to address a storm sewer repair on Green Trails Drive South. Mr. Herring explained that X-L Contracting is currently under contract for the Meadowbrook Farm Channel Stabilization Project. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve a change order to the current contract with X-L Contracting, for repair of a storm sewer pipe on Green Trails Drive South, with said change order being in an amount not to exceed $11,500. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Finance and Administration Jeremy Craig has recommended award of a contract to Alltype Fire Protection Company, in an amount not to exceed $23,000, for the conversion of the fire suppression system, within the I.T. serve room, from a "water" system to a "dry" system that would suppress fire without using water. This has been specifically recommended by the MIS Citizens Advisory Committee. Funds to cover this expense are not included within the F.Y. 2005 Budget; however, due to having successfully negotiated the renewal of the health insurance contract this year, the City realized a savings of approximately $90,000. It is recommended that the $23,000 referenced above be taken from the savings within this area of the budget. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to award a contract to Alltype Fire Protection Company, in an amount not to exceed $23,000, for the conversion of the fire suppression system, within the I.T. server room, from a "water" system to a "dry" system and the utilize the "savings" noted above, to cover this entire expense. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Geiger, along with other members of Council, expressed concern that Lowe's, Home Depot and Wal-Mart have done very little to comply with City standards regarding the display of outdoor seasonal merchandise. After some discussion, Mayor Nations requested that City Attorney Doug Beach look into the possibility of the City not having to give further notice, after the initial letter has been sent, and with each day being a separate offense.

LEGISLATION

BILL NO. 2345 AMENDS CHAPTER 5, ANIMALS AND FOWLS, OF THE CODE OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO REGARDING THE REMOVAL AND DISPOSAL OF ANIMAL WASTE (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2345. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2345 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2345, with the following results: Ayes – Fults, Flachsbart, Hurt, Brown, Casey, Durrell, Streeter and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2345 approved, passed it and it became **ORDINANCE NO. 2167.**

BILL NO. 2346 AMENDS ORDINANCE NO. 35, APPENDIX C. MODEL TRAFFIC ORDINANCE – SCHEDULE I THROUGH SCHEDULE XV OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY AMENDING THE SCHEDULE TITLES AND DESCRIPTIONS (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2346. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2346 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2346, with the following results: Ayes – Geiger, Fults, Streeter, Casey, Durrell, Flachsbart, Brown and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2346 approved, passed it and it became **ORDINANCE NO. 2168.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2347 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 AND APPROVING A LANDMARK AND PRESERVATION AREA PROCEDURE FOR A .22 ACRE OF TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF BAXTER ROAD (P.Z. 21 AND 22 -2004, BUSCH-STRUTMAN, L.L.C.) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2347. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2347 was read for the first time.

BILL NO. 2348 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 AND APPROVING A LANDMARK AND PRESERVATION PROCEDURE FOR A .21 ACRE

TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF BAXTER ROAD (P.Z. 23 AND 24, 2004, BUSCH-STRUTMAN, L.L.C.) (**FIRST READING- PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 2348. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2348 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Fults, to Section B, Page 6 of Attachment A, Item B to change the "adjacent parcel to the west" to the "adjacent parcel to the east". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2349 REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 1218 AND INCORPORATES THE CONDITIONS THEREIN TO THE REVISED ATTACHMENT "A" AUTHORIZING MEDICAL AND DENTAL OFFICES AS A PERMITTED USE FOR A "C-8" PLANNED COMMERCIAL DISTRICT, LOCATED SOUTH OF BAXTER ROAD ON CLARKSON ROAD (P.Z. 08-2004, BULL MOOSE TUBE) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 2349. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2349 was read for the first time.

BILL NO. 2350 AMENDS CITY OF CHESTERFIELD ORDINANCE 2020 RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT, LOCATED ON THE WEST SIDE OF CLARKSON ROAD AT ITS INTERSECTION WITH BAXTER ROAD (CLARKSON SQUARE SHOPPING CENTER/CAPITOL LAND COMPANY) (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ATTACHED "GREEN SHEET")**

Councilmember Casey made a motion, seconded by Councilmember Hurt, for the first reading of Bill No. 2350. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2350 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2350. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2350 was read for the second time.

Councilmember Casey made a motion, seconded by Councilmember Brown, to approve the change contained within the "green sheet", attached to Bill No. 2350. Specifically, the motion was to amend Attachment A, Section 3, Floor Area, Height and Building Requirements that pertain to Sections A, B and C. A voice vote was taken with a unanimous affirmative result and the motion as declared passed. A roll call vote was then taken for passage and approval of Bill No. 2350, as amended, with the following results: Ayes Fults, Durrell, Hurt, Streeter, Geiger, Brown, Flachsbart and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2350 approved, passed it and it became **ORDINANCE NO. 2169.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:33 p.m.

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Mayor John Nations

ATTEST:

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Martha L. DeMay, City Clerk