



## RECORD OF PROCEEDING

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

**May 5, 2003**

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

The Pledge of Allegiance was led by Girl Scout Troop #3986 from Green Trails Elementary School: Alex Hoffman, Julia Levine, Freya Shroff, Miriam Tzadok, Ann Pfizenmaier, Megan Zussblatt, Lauren Weinstein, Erin Eckstein, Lindsey Fiegl and Shelby Hurt. Also in attendance were Troop Leaders Janice Levine, Robyn Hurt and Yasmin Shroff.

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

A roll call was taken with the following results:

#### PRESENT

Mayor John Nations  
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

#### ABSENT

None

#### APPROVAL OF MINUTES

The minutes of the April 21, 2003, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve the April 21 City Council minutes. A voice vote was taken with an affirmative result (Councilmember Brown "Abstained") and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Nations welcomed Councilmember Brown, who had been on vacation, and congratulated her on her recent re-election to City Council. He also recognized and welcomed several Boy Scouts in the audience who were in attendance to observe a City Council meeting.

Mayor Nations announced that the next meeting of City Council would take place on Monday, May 19.

Mayor Nations then wished Councilmember Barry Flachsbart a Happy Birthday, on Sunday, May 18.

## **COMMUNICATIONS AND PETITIONS**

Jeff Chaney, who resides at 2048 Parasol Drive, supported Bill No. 2119, Property Maintenance Code.

Brian Calderwood, who resides at 2027 Meadowbrook Way Drive, opposed Bill No. 2119, Property Maintenance Code.

Royce Engle, who resides at 135 Ridgecrest, opposed Bill No. 2119, Property Maintenance Code.

## **APPOINTMENTS**

Mayor Nations placed the name of Dr. Lynn O'Connor in nomination as a member of the Planning Commission to fill the unexpired term of Mike Kodner, ending June 5, 2003. Councilmember Streeter made a motion, seconded by Councilmember Geiger, to approve the nomination of Dr. O'Connor to fill this unexpired term. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Streeter next made a motion, seconded by Councilmember Geiger, to re-appoint Dr. O'Connor as a member of the Planning Commission, for a four-year term, expiring June 5, 2007. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

### **Finance and Administration Committee**

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that the next meeting for this Committee has been scheduled for June 11 at 5:30 p.m.

### **Planning and Zoning Committee**

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2155 (P.Z. 27-2002 (Royal Oak Estates) will be read for the first time and Bill No. 2119 (Property Maintenance Code), Bill No. 2152 (amends Ordinance No. 1772 – P.Z. 07-2001, THF Technology Park II), Bill No. 2153 (approved the public purpose and public necessity regarding Davis Street Project and the construction of Davis Street), Bill No. 2156 (approved a boundary adjustment plat on Belle Monte Road) and Bill No. 2157 (approves a boundary adjustment plat in August Hill on Conway Plat One and Plat Two) are scheduled for Second Reading approval and will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for May 8 at 5:30 p.m.

### **Public Works/Parks Committee**

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2154 (authorizes the City Administrator to sign an agreement regarding the maintenance of landscaping and amenities in the right-of-way on River Valley Drive) will be read for the first time and Bill No. 2149 (restricts parking in the Villas at Ladue Bluffs), Bill No. 2150 (restricts turning movements in the Villas at Ladue Bluffs) and Bill No. 2151 (requires “as built” information regarding the Chesterfield Valley Stormwater Project) are scheduled for Second Reading approval and will be considered for adoption under the “Legislation” portion of the agenda.

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

### **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that bids were recently sought for street-sweeping services. Based upon a review of information provided to him by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with Mr. Geisel in recommending award of a contract to Crowns and Curbs Sweeping Service, at a cost of \$6,191 per sweep and a rate of \$65.00/hour for additional sweeping services. Mr. Herring noted that the FY2003 Budget contains approximately \$27,000 for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Crowns and Curbs Sweeping Service, at a cost of \$6,191 per sweep and a rate of \$65.00/hour for additional sweeping services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for contractual stump-grinding services. Having reviewed the bids, Mr. Herring joined with Mr. Geisel in recommending award of a contract to Stumps R US, at a rate of \$3.25 per caliper-inch. Mr. Herring noted that the FY2003 Budget contains adequate funds for this purpose and that total expenditures, for this purpose, are estimated to be approximately \$10,000, during the coming year. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Stumps R US, at a rate of \$3.25 per

caliper-inch for stump grinding services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that a restaurant located at 13441 Olive Boulevard, known as Thai Bu-ree, has requested a liquor license to sell beer and wine only, by the drink, for consumption on the premises and Sunday sales. Mr. Herring noted that this application has been reviewed and approved by both the Departments of Planning and Police. Councilmember Casey made a motion, seconded by Councilmember Geiger, to approve issuance of the liquor license to Thai Bu-ree. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## NEW BUSINESS

Councilmember Streeter, Ward 2, requested that, at their next meeting, the members of the Public Works/Parks Committee discuss whether or not Staff should be directed to identify/analyze stormwater problems throughout the City. Councilmember Geiger, who serves as a member of this Committee, representing Ward 2, requested that this item be placed on the agenda for the next Public Works/Parks Committee meeting.

## LEGISLATION

**BILL NO. 2149** AMENDS ORDINANCE NO. 35, SCHEDULE IX, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON CERTAIN STREETS, WITHIN THE VILLAS AT LADUE BLUFFS SUBDIVISION (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2149. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2149 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2149, with the following results: Ayes – Geiger, Flachsbart, Hurt, Casey, Fults, Durrell, Brown and Streeter. Nays - None. Whereupon Mayor Nations declared Bill No. 2149 approved, passed it and it became **ORDINANCE NO. 1925.**

**BILL NO. 2150** AMENDS ORDINANCE NO. 35, SCHEDULE IV, OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT TURNING MOVEMENTS AT THE INTERSECTION OF OLIVE BOULEVARD AND CORDOVAN COMMONS PARKWAY (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2150. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2150 was read for the second time. A roll

call vote was taken for passage and approval of Bill No. 2150, with the following results: Ayes – Brown, Casey, Durrell, Geiger, Hurt, Fults, Streeter and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2150 approved, passed it and it became **ORDINANCE NO. 1926.**

**BILL NO. 2151** REQUIRES “AS BUILT” INFORMATION AND ENGINEERS CERTIFICATIONS TO BE SUBMITTED FOR ALL CHESTERFIELD VALLEY MASTER STORMWATER IMPROVEMENTS (**SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2151. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2151 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2151, with the following results: Ayes – Streeter, Durrell, Geiger, Casey, Brown, Fults, Hurt, and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2151 approved, passed it and it became **ORDINANCE NO. 1927.**

**BILL NO. 2154** AUTHORIZES THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT PROVIDING FOR THE MAINTENANCE OF LANDSCAPING AND AMENITIES IN THE RIGHT-OF-WAY FOR RIVER VALLEY DRIVE BY THE RIVER BEND ASSOCIATION (**FIRST READING – PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2154. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Geiger made a motion, seconded by Councilmember Casey, to remove items 7, 8, 9 and 11 from the proposed Agreement. During discussion that ensued, it was noted that the River Bend Association could apply for funding assistance, from the City, for beautification projects. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2154 was read for the first time, as amended.

#### LEGISLATION – PLANNING COMMISSION

**BILL NO. 2119** ESTABLISHES MINIMUM STANDARDS FOR THE EXTERIOR MAINTENANCE OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTY, SURROUNDING PROPERTY AND APPURTENANCES WITHIN THE CITY OF CHESTERFIELD, MISSOURI (**SECOND READING – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Hurt, for a second reading of Bill No. 2119. A voice vote was taken with an affirmative result (Councilmember Flachsbart voted “No”) and the motion was declared passed. Bill No. 2119 was read for the second time. Councilmember Streeter stated his intention to vote “No” on the passage of this legislation, due to his perception that this matter will cost the City additional money. Discussion ensued. Councilmember Durrell also stated her intention to vote “No” on this bill. A roll call vote was taken for passage and approval of Bill No. 2119, with the following results: Ayes – Geiger, Casey, Fults, Hurt and Brown. Nays – Flachsbart, Durrell and Streeter. Whereupon Mayor Nations declared Bill No. 2119 approved, passed it and it became **ORDINANCE NO. 1932.**

**BILL NO. 2152** AMENDS CITY OF CHESTERFIELD ORDINANCE NUMBER 1773 FOR A NEW AMENDED ORDINANCE RELATING TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 21.643 ACRE TRACT OF LAND LOCATED SOUTH OF CHESTERFIELD AIRPORT ROAD AND EAST OF PUBLIC WORKS DRIVE (ORIGINALLY P.Z. 07-2001, THF TECHNOLOGY PARK II) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2152. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2152 was read for the second time. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to add a Section II, Floor Area, Height and Building Requirements as indicated in the Bill. 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. 2152, as amended, with the following results: Ayes – Geiger, Hurt, Fults, Flachsbart, Casey, Streeter, Brown and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 2152, as amended, approved, passed it and it became **ORDINANCE NO. 1928.**

**BILL NO. 2153** APPROVES THE PUBLIC PURPOSE AND PUBLIC NECESSITY FOR THE DAVIS STREET PROJECT AND AUTHORIZES CONSTRUCTION OF DAVIS STREET **(SECOND READING – PLANNING AND ZONING COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2153. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2153 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2153, with the following results: Ayes – Durrell, Flachsbart, Geiger, Casey, Hurt, Streeter, Fults and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 2153 approved, passed it and it became **ORDINANCE NO. 1929.**

**BILL NO. 2155** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E-1 ACRE” ESTATE DISTRICT FOR A 12.4 ACRE TRACT OF LAND LOCATED

NORTH OF WILDHORSE CREEK ROAD, TO THE WEST OF THE "TARA AT WILDHORSE" SUBDIVISION, IN A SUBDIVISION KNOWN AS "ROYAL OAK RANCH" (P.Z. 27-2002) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2155. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2155 was read for the first time. Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to change the distance between structures from twenty (20) feet to forty (40) feet. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**BILL NO. 2156** APPROVES A BOUNDARY ADJUSTMENT PLAT FOR LOTS 13, 14 AND 15 OF "BELLE MONTE ROAD", KNOWN AS A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 1911, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, MISSOURI **(FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2156. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2156 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2156. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2156 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2156, with the following results: Ayes – Casey, Hurt, Brown, Durrell, Geiger, Fults, Streeter and Flachsbart. Nays - None. Whereupon Mayor Nations declared Bill No. 2156 approved, passed it and it became **ORDINANCE NO. 1930**.

**BILL NO. 2157** APPROVES A BOUNDARY ADJUSTMENT PLAT FOR LOTS 22 "AUGUST HILL ON CONWAY PLAT ONE" AND LOT 31 OF "AUGUST HILL ON CONWAY PLAT TWO", KNOWN AS A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 370, TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, MISSOURI **(FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL)**

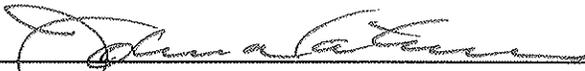
Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2157. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2157 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2157. A voice vote was taken with a unanimous affirmative

result and the motion was declared passed. Bill No. 2157 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2157, with the following results: Ayes – Flachsbart, Streeter, Fults, Geiger, Durrell, Brown, Hurt and Casey. Nays - None. Whereupon Mayor Nations declared Bill No. 2157 approved, passed it and it became **ORDINANCE NO. 1931**.

### ADJOURNMENT

Mayor Nations called for a motion to adjourn the meeting to go into an Executive Session (closed meeting). Councilmember Durrell made a motion, seconded by Councilmember Brown to adjourn the meeting to discuss legal actions and property acquisitions, as provided by RSMo 610.021 (1) and (2). A roll call vote was taken with the following results: Ayes – Flachsbart, Streeter, Fults, Geiger, Durrell, Brown, Hurt and Casey. Nays - None. Whereupon, Mayor Nations declared the motion passed. Mayor Nations adjourned the meeting at 8:05 p.m.

  
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Mayor John Nations

### ATTEST:

  
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Martha L. DeMay, City Clerk