



RECORD OF PROCEEDING

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

May 16, 2005

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

In the absence of Mayor Nations, President Pro Tem Bruce Geiger led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

Mayor John Nations (arrived later)
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Connie Fults (arrived later)

ABSENT

Councilmember Mary Brown

APPROVAL OF MINUTES

The minutes of the May 2, 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

President Pro Tem Geiger extended birthday wishes to Councilmembers Flachsbart, Durrell, Streeter and City Administrator Mike Herring, each of whom have birthdays between now and the next meeting of City Council.

President Pro Tem Geiger announced that City Hall would be closed Monday, May 30 in observance of Memorial Day and that the next meeting of City Council would take place on Monday, June 6, 2005. [NOTE: Councilmember Connie Fults joined the meeting, at this time.]

COMMUNICATIONS AND PETITIONS

Michael Doster, 17107 Chesterfield Airport Road, attorney for the petitioners, supported Bill No. 2349 (P.Z.08-2004, Bull Moose Tube) and Bill No. 2352 (P.Z. 13-2002, Drury Plaza Hotel)

Larry Hasselfeld, owner of the Drury Development Corporation, supported Bill No. 2352 (P.Z. 13-2002, Drury Plaza Hotel)

Chris Mueller, 527 Chesterfield Business Parkway, Stock and Associates Consulting Engineers, Inc., supported Bill No. 2349 (P.Z.08-2004, Bull Moose Tube).

Dr. Jay Pepose, 1125 Templeton Place, Town &Country, MO, supported Bill No. 2349 (P.Z.08-2004, Bull Moose Tube).

Robert Boland, 11477 Olde Cabin Road, architect for the petitioner, supported Bill No. 2349 (P.Z.08-2004, Bull Moose Tube).

COUNCIL COMMITTEE REPORTS

[NOTE: Mayor Nations joined the meeting at this time.]

Public Works/Parks Committee

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for May 26 at 5:45 p.m.

Planning and Zoning Committee

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, deferred to Vice Chairperson Bruce Geiger to give the Committee report.

Councilmember Geiger reported that Bill No. 2352, P.Z. 13-2002, Drury Plaza Hotel, Bill No. 2347 (P.Z. 21-2004 and P.Z. 22-2004, Busch-Strutman, LLC), Bill No. 2348 (P.Z. 23-2004 and P.Z. 24-2004, Busch-Strutman, LLC) and Bill No. 2349 (P.Z. 08-2004, Bull

Moose Tube) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Geiger announced that the next meeting of this Committee has been scheduled for May 19 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that Golden China, located at 58 THF Boulevard, has requested a liquor license to serve beer and wine only, by-the-drink. The application was reviewed and approved by both the Departments of Planning and Police. Councilmember Streeter made a motion, seconded by Councilmember Durrell, 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 reported that bids were recently sought for annual sidewalk repair projects, funded by the ½ cent capital improvements sales tax. Based upon review of the information provided to him by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending award of a contract to AGR Construction Company, Inc., in an amount not to exceed \$200,000, which is the amount contained within F.Y. 2005 Budget, for this purpose. Councilmember Flachsbart made a motion, seconded by Councilmember Fults, to award a contract to AGR Construction Company, Inc., in an amount not to exceed \$200,000, for the annual sidewalk repair projects. 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 the construction of dugouts and fencing, as part of the “Miracle Field Project”, located within the Chesterfield Valley Athletic Complex. Having reviewed the information submitted to him, by Mr. Geisel, he joined with him in recommending award of a contract to Demien Construction, in an amount not to exceed \$96,494.00. Through a combination of donations, grant funds and City dollars, adequate funds exist within the F.Y. 2005 Budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to award a contract to Demien Construction, in an amount not to exceed \$96,494.00 for the construction of dugouts and fencing, as part of the “Miracle Field Project”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Flachsbart reported that the Mo. State Representative, who represents the Creve Coeur area, is supporting legislation regarding the use of cameras mounted on posts to be used for traffic control purposes at intersections. Councilmember Flachsbart made a motion to pursue this issue as it develops for possible use in the City of Chesterfield. The motion was seconded by Councilmember Durrell. Councilmember Flachsbart suggested that City Council support this proposed legislation. Councilmember

Casey pointed out that several cities on the east coast discontinued the use of the traffic cameras due to an increase in accidents at the intersections that had cameras installed. Councilmember Casey suggested that additional information be obtained before making a decision. Councilmember Durrell suggested that this issue be forwarded to the Public Health and Safety Committee for further review. Mayor Nations stated that the legislature has adjourned for the next few months and agreed that this issue should be forwarded to the Public Health and Safety Committee to obtain a copy of the proposed legislation for review. Councilmember Flachsbart withdrew his original motion.

Councilmember Durrell announced that the next meeting of the Finance and Administration Committee has been scheduled for June 1 at 5:30 p.m.

LEGISLATION – PLANNING COMMISSION

Councilmember Casey again deferred to Vice-Chairperson of the Planning and Zoning Committee, Councilmember Bruce Geiger, to call for the passage of the following legislation.

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.)
(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for a second 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 second time. A roll call vote was taken for passage and approval of Bill No. 2347, with the following results: Ayes – Flachsbart, Fults, Geiger, Casey, Durrell, Hurt and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2347 approved, passed it and it became **ORDINANCE NO. 2170.**

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.)

**(SECOND READING- PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for a second 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 second time. Councilmember Flachsbart commended the Historical Commission, the Planning Commission and the Planning and Zoning Committee for putting together this landmark preservation ordinance, which makes Bill No. 2347 and 2348 possible. Bill No. 2348 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2348, with the following results: Ayes – Fults, Streeter, Flachsbart, Casey, Geiger, Durrell and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2348 approved, passed it and it became **ORDINANCE NO. 2171.**

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) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second 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 second time. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to amend “Access”, Item 7, on page 7 of Attachment A, to include the construction of a stub street to the property line. 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. 2349, as amended, with the following results: Ayes – Flachsbart, Durrell, Casey, Streeter, Hurt, Geiger and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2349 approved, passed it and it became **ORDINANCE NO. 2172.**

BILL NO. 2352 REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 1899 AND REPLACES IT WITH A NEW ORDINANCE AMENDING THE NUMBER OF SEATS ALLOWED IN THE RESTAURANT AS OUTLINED IN SECTION II(2)(b); DECREASING THE SETBACK TO FIFTY-FIVE (55) FEET FROM THE WESTERN BOUNDARY OF THE PC DISTRICT BEARING N 29 °03’ 35” E IN SECTION V(1)(B); AMENDING THE PARKING REDUCTION TO 11.3% IN SECTION V(3); FOR DRURY PLAZA HOTEL, A “PC” PLANNED COMMERCIAL DISTRICT LOCATED ADJACENT TO CHESTERFIELD MALL AT THE INTERSECTION OF CLARKSON ROAD AND U.S. HIGHWAY 40/61, INTERESTATE 64 (P.Z. 13-2002,

**DRURY DEVELOPMENT CORPORATION)(FIRST AND
SECOND READINGS – PLANNING COMMISSION
RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2352. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2352 was read for the first time.

Councilmember Geiger made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2352. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2352 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2352, with the following results: Ayes – Geiger, Streeter, Durrell, Casey, Hurt, Fults and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2352 approved, passed it and it became **ORDINANCE NO. 2173**. Mayor Nations called on Mr. Hasselfeld, owner of the Drury Development Corporation, and asked if he would like to provide updated information to City Council, regarding the “Drury” development. Mr. Hasselfeld expressed his gratitude for City Council adopting this ordinance and is excited about the new restaurant, Stoney River Legendary Steakhouse, which will be an upscale steakhouse.

ADJOURNMENT

Mayor Nations recognized City Attorney Doug Beach, who introduced his nephew, Tim Wallace, who is a senior at Syracuse University and visiting here from Massachusetts. Mayor Nations welcomed Mr. Wallace to Chesterfield.

Mayor Nations adjourned the meeting at 7:34 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk