



## RECORD OF PROCEEDING

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

**June 6, 2005**

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

Due to Mayor Nations absence, President Pro-Tem Bruce Geiger, serving as Acting-Mayor, 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

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

Mayor John Nations

#### APPROVAL OF MINUTES

The minutes of the May 16, 2005, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve the City Council minutes. A voice vote was taken with an affirmative result (Councilmember Brown abstained) and the motion was declared passed.

## **INTRODUCTORY REMARKS**

President Pro Tem Geiger presented a proclamation to Andrew Hoekzema, who recently received a perfect score of 2400 on the newly redesigned SAT. He was one of 107 students out of 300,000 who took the test nationwide to receive a perfect score. He resides with his parents at 15045 Isleview, in Ward III.

President Pro Tem Geiger announced that the next meeting of City Council has been scheduled for June 20 at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Eugene Devore represented Greater Missouri Builders and supported Bill No. 2354 (P.Z. 01-2000, TMH II, L.L.C.)

Steve Kling, represented the Wildhorse Creek Road Association and supported Resolution No. 319, a moratorium regarding rezoning/zoning changes within Wild Horse Creek Subdivision area.

## **APPOINTMENTS**

President Pro-Tem Geiger submitted the name of Leon Kravetz for re-appointment to the Board of Adjustment and the name of Bob Defer for appointment to the Landmark Preservation Commission. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to re-appoint Mr. Kravetz as a member of the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Kravetz's term will expire June 1, 2010. Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, to appoint Mr. DeFer to the Landmark Preservation Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. DeFer's term will expire June 30, 2008.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Barry Streeter, Chairperson of the Public Works/parks Committee, reported that Bill No. 2353 (approves the installation of fire hydrants on Wings Drive) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Streeter next reported that Director of Public Works/City Engineer Mike Geisel has recommended that a secondary access to Nooning Tree Subdivision be designed and cost estimates prepared based upon a final design. Councilmember Streeter made a motion, seconded by Councilmember Brown, to authorize a contract with Volz Engineering in an amount not to exceed \$15,000, funded by the ½ cent sales tax for

streets and sidewalks, for the design and feasibility analysis re: a secondary entrance into Nooning Tree Subdivision, via Caliope Place. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The funding will come from the ½ cent sales for capital improvements fund.

Councilmember Streeter stated that no future meeting date has been scheduled.

### **Planning and Zoning Committee**

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Resolution No. 319 places a six-month moratorium regarding rezoning/zoning changes within Wild Horse Creek Sub Area (“Bowtie”). Councilmember Casey made a motion, seconded by Councilmember Fults to approve Resolution No. 319. Councilmember Casey stated that the Committee considers a moratorium a very serious issue. This is only the second moratorium instituted by the City. He further stated that the 100-acres, known as the “Bowtie” area needed to be reviewed by the Planning Commission. Noise studies on the Spirit of St. Louis Airport will also be submitted to the Commission.

Councilmember Casey next reported that Bill No. 2354 (Amends Ordinance No. 1631 (Chesterfield Hollow) regarding Brunhaven) and Bill No. 2355 (P. Z. 01-2005, City of Chesterfield – Adult Entertainment Regulation) will be read for the first time and Bill No.2356 (Approves a boundary adjustment plat regarding Chesterfield Oaks) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

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

### **REPORT OF THE CITY ADMINISTATOR**

City Administrator Mike Herring introduced Resolution No. 318 regarding an application for traffic safety grant. This grant proposal will provide \$30,600 to continue the Traffic Safety Officer Program. Resolution No. 318 authorizes Mr. Herring, as City Administrator, to enter into the agreement on behalf of the Mayor and City Council and is consistent with other past grant applications. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to adopt Resolution No. 318. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring reported that City Council previously authorized a contract for reimbursement to the Levee District for earthwork in an amount not to exceed \$500,000. Director of Public Works/City Engineer Mike Geisel is now recommending that the original contract be amended to a new cumulative total of \$730,000, which represents an increase of \$230,000. The additional amount is necessary to cover \$60,000 of additional earthwork and \$170,000 for the placement of a rock base associated with construction of additional parking lots and roads on the western end of the Chesterfield Valley Athletic

Complex (CVAC). Mr. Herring further noted that the entire amount is funded by proceeds resulting from the passage of Proposition “P”. Mr. Herring joined with Mr. Geisel in recommending that the original contract be amended and increased, as noted above. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to amend the original contract for reimbursement with the Levee District by a total of \$230,000 with the entire amount funded with proceeds resulting from the passage of Proposition “P”. 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 next phase of work for the west end athletic fields, located at the Chesterfield Valley Athletic Complex (CVAC). Based upon review of the information provided to him by Mr. Geisel, Mr. Herring joined with Mr. Geisel in recommending award of a contract to Florissant Sod Company, in an amount not to exceed \$418,808. This entire amount is funded from proceeds resulting from the passage of Proposition “P”, approved by the voters of Chesterfield, last November, 2004. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Florissant Sod Company, in an amount not to exceed \$418,808. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals had been sought and evaluated, over the past two-three months, regarding the use of credit cards, debit cards and the processing of checks at all City facilities. This process had been directed and funded by City Council. Based upon a review of the information provided to him by Director of Finance and Administration Jeremy Craig, Mr. Herring joined with Mr. Craig in recommending award of contract to U.S. Bank, for “merchant services”, involving the use/acceptance of credit cards, debit cards and the processing of checks. Mr. Herring stated that the bid submitted by U.S. Bank had the best rates and applicable services, desired by the City of Chesterfield. Additionally, Mr. Herring stated that it is Staff’s plan to begin to accept credit cards for on-line (internet) transactions, as well. Councilmember Streeter made a motion, seconded by Councilmember Casey, to award a contract to U.S. Bank, for “merchant services” involving the use/acceptance of credit cards, debit cards and the processing of checks. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **LEGISLATION**

### **BILL NO. 2353**

**APPROVES THE INSTALLATION OF FIRE  
HYDRANTS ON WINGS DRIVE, LOCATED WITHIN  
THE CITY OF CHESTERFIELD (FIRST AND SECOND  
READINGS-PUBLIC WORKS/PARKS COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2353. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2353 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2353. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2353 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2353, with the following results: Ayes – Brown, Fults, Streeter, Flachsbart, Geiger, Casey, Hurt and Durrell. Nays - None. Whereupon, Acting-Mayor Geiger declared Bill No.2353 approved, passed it and it became **ORDINANCE NO. 2174.**

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2354** AMENDS THE ORDINANCE FOR A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE “R-2” 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR AN 8.07 ACRE TRACT OF LAND, LOCATED ON THE EAST SIDE OF OLIVE BOULEVARD, NORTH OF LADUE ROAD (P.Z. 01-2000, TMH II, L.L.C.) (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL BUT ONLY IF AMENDED BY THE ATTACHED “GREEN SHEET”**)

Councilmember Casey made a motion, seconded by Councilmember Durrell, for the first reading of Bill No. 2354. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. After consulting with two existing homeowners residing near the proposed development, Councilmember Durrell withdrew her proposed changes to the legislation that appeared on the “green sheet”. Councilmember Durrell made a motion, seconded by Councilmember Casey, to amend Section 2 Building and Height Requirements, adding Section C items I through IV. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Durrell made a motion, seconded by Councilmember Casey, to amend Section 5 Site Development Plan Criteria by deleting the first sentence in item n., adding “If a gate is installed, the streets in this development shall be private and shall remain private forever” and adding Item o. stating that prior to acceptance of public streets in the development, the entrance shall be modified as directed by the City of Chesterfield Department of Public Works and the Missouri Department of Transportation prior to Site Development Plan approval. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2354 was read for the first time.

**BILL NO. 2355** CREATES THE ADULT ENTERTAINMENT AREA UNDER THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD (P.Z. 01-2005, CITY OF CHESTERFIELD/ADULT ENTERTAINMENT REGULATIONS) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2355. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2355 was read for the first time.

**BILL NO. 2356** APPROVES A BOUNDARY ADJUSTMENT PLAT OF A TRACT OF LAND BEING PART OF U.S. SURVEYS 2002, TOWNSHIP 45, NORTH RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, STATE OF MISSOURI (CHESTERFIELD OAKS) (**FIRST AND SECOND READINGS – DEPARTMENT OF PLANNING RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 2356. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2356 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2356. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2356 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2356, with the following results: Ayes – Casey, Geiger, Fults, Brown, Hurt, Flachsbart, Durrell and Streeter. Nays - None. Whereupon, Acting-Mayor Geiger declared Bill No. 2356 approved, passed it and it became **ORDINANCE NO. 2175**.

**ADJOURNMENT**

President Pro-Tem Geiger adjourned the meeting at 7:52 p.m.

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Mayor John Nations

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Acting-Mayor Bruce Geiger

**ATTEST:**

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Martha L. DeMay, City Clerk