



RECORD OF PROCEEDING

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

July 16, 2007

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

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

Mayor Nations next presented Ms. Josephine “Jo” Gothberg with a proclamation commemorating the assistance she provides, as a volunteer, for the Chesterfield Municipal Court. Prosecuting Attorney Tim Englemeyer joined Mayor Nations in thanking Ms. Gothberg for her assistance. Mayor Nations expressed his appreciation for her tremendous contribution to the City.

Mayor Nations next presented a plaque to Director of Finance and Administration Jeremy Craig, who is leaving the City to take a position in Napa, CA. The Mayor expressed his appreciation for all that Mr. Craig has done for the City. City Administrator Mike Herring also commended Mr. Craig for his contributions to the City.

A roll call was taken with the following results:

PRESENT

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

ABSENT

Councilmember Barry Flachsbart

APPROVAL OF MINUTES

The minutes of the June 18, 2007 City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Geiger, 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 Nations reminded those in attendance that the next meeting of City Council has been scheduled for Monday, August 6 at 7 p.m.

COMMUNICATIONS AND PETITIONS

Jane Cunningham, State Representative for Chesterfield, updated City Council regarding a variety of different issues.

Mike Doster, attorney for the petitioner, supported Bill No. 2562 (P.Z. 25-2006, Simply Storage (OB Development, Inc.) and agreed to the changes contained in the proposed “blue sheet” amendment.

James Exler, Zavrados & Polk, Inc., supported Bill No. 2562, Simply Storage.

Rene Heney, who resides at 1513 Honey Locust Court, spoke as a representative of the Wildhorse Creek Road Association in opposition to Bill No. 2544 (P.Z. 28-2006, Chesterfield Office Park (17655 and 17659 Wild Horse Creek Road).

Shelby Edwards, who resides at 17704 Greystone Terrace, opposed Bill No. 2544 (P.Z. 28-2006, Chesterfield Office Park (17655 and 17659 Wild Horse Creek Road).

Sherri McCaan, who resides at 17510 Galmiche Court, opposed Bill No. 2544 (P.Z. 28-2006, Chesterfield Office Park (17655 and 17659 Wild Horse Creek Road).

Stacey Rolfe, who resides at 1116 Wilderness Bluff Court, opposed Bill No. 2544 (P.Z. 28-2006, Chesterfield Office Park (17655 and 17659 Wild Horse Creek Road).

Larry Chapman, owner and developer, supported Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

Steve Wuennenberg, 1571 Foxham Drive, supported Bill No. 2561, (P.Z. 18-1007, Stoneridge Office Building), but needs the signage per the Site Development Plan.

Ron Faulbaum, who resides at 16238 Lone Cabin Drive, supported Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

Chuck Goldbarb, MD, 660 S. Euclid – St. Louis, supported Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

Christopher Dean, St. Louis, MO, supported supported Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

George Stock, 257 Chesterfield Business Park, was in attendance to answer any questions regarding supported Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

Denise Koessel, who resides at 1530 Candish Lane, expressed some concerns regarding Bill No. 2561 (P.Z. 18-1007, Stoneridge Office Building).

Terry Monachella, who resides at 14164 Trailtop, expressed concerns regarding AmerenUE and the recent power outage issues.

Harvey J. Rosenberg, who resides at 217 S. Greentrails Drive, expressed concerns regarding AmerenUE and the recent power outage issues.

John Weigel, who resides at 14217 Trailtop Drive, expressed concerns regarding AmerenUE and the recent power outage issues.

Max Inman, Trustee for Ladue Woods Subdivision, expressed concerns regarding AmerenUE and the recent power outage issues.

Andy Anderson, who resides at 226 Trailtop Court, expressed concerns regarding AmerenUE and the power outage issues.

Annette Heller, who resides at 14212 Trailtop, expressed concerns regarding AmerenUE and the power outage issues.

Jim Giles, who resides at 14277 Trailtop, expressed concerns regarding AmerenUE and the power outage issues.

John Hank, who resides at 235 Trailtop Court, expressed concerns regarding AmerenUE and the power outage issues.

George Dove, who resides at 1467 Carriage Crossing, opposed Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Sandy Summers, who resides at 1423 Carriage Crossing Lane, opposed Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Joanna Wagner, who resides at 1440 Carriage Crossing Lane, opposed Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

James Schnurbusch, who resides at 1479 Carriage Crossing Lane, opposed Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Stephanie Macaluso, who resides at 1514 Pacland Place, opposed Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Mel Kosanchick, Volz Engineering, supported Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Mike Micheli, Developer, supported Bill No. 2559 (P.Z. 02-2007, The Estates at Upper Kehrs Mill).

Due to the large number of residents in the Council Chambers, Councilmember Hurt made a motion, seconded by Councilmember Casey, to suspend the rules to take up consideration of the Stoneridge Office Building Site Development Plan and Bill No. 2561 (P.Z. 18-2007, Stoneridge Office Building). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to table Bill No. 2561 indefinitely. A voice vote was taken with an affirmative result (6-0-1 – Councilmember Fults abstained) and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve three sign package exhibits (monument sign, directional signs and the handicapped signs), but to hold further review/discussion and possible approval, until the next City Council meeting. A voice vote was taken with an affirmative result (6-0-1 – Councilmember Fults abstained) and the motion was declared passed.

Councilmember Hurt made a motion, seconded by Councilmember Casey, to direct Staff to develop language regarding the escrow to be established and held regarding all the plantings along the residential area and the undisturbed area, for consideration at the next City Council meeting. City Attorney Heggie noted that this could best be shown as an amendment to the Attachment A, for Bill No. 2561. A voice vote was taken with an affirmative result (6-0-1 – Councilmember Fults abstained) and the motion was declared passed.

Councilmember Fults next made a motion, seconded by Councilmember Nation, to suspend the rules to enable consideration of Bill No. 2559 – The Estates at Upper Kehrs Mill. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2559 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E” ONE-ACRE DISTRICT FOR A 10.2-ACRE TRACT OF LAND LOCATED ON THE EASTERN SIDE OF KEHRS MILL ROAD, 4,100 FEET SOUTH OF ITS INTERSECTION WITH WILD HORSE CREEK ROAD (P.Z. 02-2007 THE ESTATES AT UPPER KEHRS MILL/MICELI CONSTRUCTION) (**FIRST READING - PLANNING COMMISSION RECOMMENDS APPROVAL) (P&Z COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ATTACHED "GREEN SHEET")**)

Councilmember Fults made a motion, seconded by Councilmember Nation, for the first reading of Bill No. 2559. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2559 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Nation to approve Amendment 1, per the “green sheet”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Fults made a motion, seconded by Councilmember Casey, to approve Amendment 2, per the “green sheet”. A voice vote was taken with an affirmative result and the motion was declared passed. Councilmember Fults made a motion, seconded by Councilmember Nation, to approve Amendment 3, with the exception of Item #6, under Amendment 3. Staff is to re-work that item to enable consideration by City Council, at the next City Council meeting. A voice vote was taken with an affirmative result and the motion was declared passed.

Councilmember Fults next made a motion, seconded by Councilmember Nation, to change the zoning from “E-1” to “E-2”, Two Acre District, throughout the legislation. In response to a question from Councilmember Erickson, Councilmember Fults noted that this amendment had not been discussed at the P&Z Committee meeting and was not contained within the “green sheet” amendment. A roll call vote was taken with the following results: Ayes – Fults, Nation, Erickson. Nays – Casey, Geiger, Durrell and Hurt. The motion was declared failed.

Councilmember Fults then made a motion to suspend the rules to enable consideration of Bill No. 2544 – Chesterfield Neighborhood Office Park. The motion was seconded by Councilmember Nation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2544 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT WITH A “WH” WILD HORSE CREEK ROAD OVERLAY FOR A 8.04-ACRE TRACT

OF LAND LOCATED NORTH OF WILD HORSE CREEK ROAD, WEST OF LONG ROAD [P.Z. 28-2006 CHESTERFIELD NEIGHBORHOOD OFFICE PARK (17655 AND 17659 WILD HORSE CREEK ROAD) (**SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Fults made a motion, seconded by Councilmember Nation, for a second reading of Bill No. 2544. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2544 was read for the second time.

Councilmember Fults made a motion, seconded by Councilmember Nation, to reduce the square footage from 30,000 sq. ft. to 18,000 sq. ft. A roll call vote was taken with the following results: Ayes – Erickson, Nation and Fults. Nays – Hurt, Durrell, Geiger and Casey. Mayor Nation declared the motion to amend failed. Discussion ensued. Councilmember Fults made another motion, seconded by Councilmember Nation, to limit the square footage to 24,000 sq. ft. A roll call vote was taken with the following results: Ayes – Fults and Nation. Nays – Hurt, Durrell, Casey, Erickson and Geiger. Mayor Nations declared the motion to amend failed. Councilmember Nation read a prepared statement in opposition to this proposed re-zoning. Mayor Nations reminded those in attendance that on the final vote of any legislation, five affirmative votes are required to pass that legislation.

A roll call vote was taken for passage and approval of Bill No. 2562, with the following results: Ayes – Casey, Durrell, Geiger, Hurt, and Erickson. Nays – Fults, Nation. Whereupon, Mayor Nations declared Bill No. 2562 approved, passed it and it became **ORDINANCE NO. 2378**.

Mayor Nations returned to the main agenda.

APPOINTMENTS

Mayor Nations next nominated Richard Skoff and Randy Logan for re-appointment as members of the Police Personnel Board. Councilmember Casey made a motion, seconded by Councilmember Hurt, to approve both of these re-appointments. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Their terms will expire August 15, 2010.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, reported that Bill No. 2563 (Re-adopts procedure for reporting conflicts of

interest) would be considered for first reading approval, under the “Legislation” portion of the Agenda.

Planning and Zoning Committee

Councilmember Connie Fults, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2562 (P.Z. 25-2006, Simply Storage (OB Development, Inc.) and Bill No. 2564 (Boundary Adjustment – Kemp Auto Museum) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for July 19 at 5:30 p.m. (Note: This meeting was subsequently cancelled, due to scheduling conflicts.)

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that, along with Deputy Director of Public Works/Assistant City Engineer Brian McGownd, he is requesting approval by City Council to add \$60,000 to the Public Works budget, to enable the purchase of additional salt, prior to the upcoming winter season. The funding for this budget amendment will come from a FEMA reimbursement, resulting from work performed by City crews, in response to the ice storm that occurred in January, 2007. Councilmember Casey made a motion, seconded by Councilmember Geiger, to add \$60,000 to the Public Works budget to enable the purchase of additional salt prior to the upcoming winter season. 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 purchase of a 2.5 ton "bucket truck". The FY2007 Budget contains \$130,000, for this purpose. Based upon a review of the information provided by Mr. McGownd, he joined with him in recommending award of a contract to Degel Truck Center, in an amount not to exceed \$117,586. Councilmember Casey made a motion, seconded by Councilmember Geiger, to award a contract to Degel Truck Center in an amount not to exceed \$117,586. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2563 RE-ADOPTS THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605, OF THE CITY OF CHESTERFIELD, AS THE PROCEDURE FOR DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS (**FIRST READING - FINANCE AND ADMINISTRATION COMMITTEE**)

Councilmember Geiger made a motion, seconded by Councilmember Erickson, for the first reading of Bill No. 2563. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2563 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2562 AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 2.3 ACRE TRACT OF LAND LOCATED ON CHESTERFIELD AIRPORT ROAD, EAST OF LONG ROAD. (P.Z. 25-2006 SIMPLY STORAGE {OB DEVELOPMENT, INC}) **(SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)** (“BLUE SHEET” AMENDMENT)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2562. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2562 was read for the second time

Councilmember Fults made a motion, seconded by Councilmember Casey, to adopt the changes that appear on the “blue sheet”, attached to the legislation. A voice vote was taken with an affirmative result (6-1) (Councilmember Hurt voted “No”) and the motion was declared passed.

A roll call vote was taken for passage and approval of Bill No. 2562, as amended, with the following results: Ayes – Casey, Fults, Durrell, Nation, Geiger, Hurt and Erickson. Nays - None. Whereupon, Mayor Nations declared Bill No. 2562 approved, passed it and it became **ORDINANCE NO. 2379**.

BILL NO. 2564 AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOTS C-802 AND C-803 OF KEMP AUTOMOBILE MUSEUM SUBDIVISION IN U.S. SURVEY 2031, TOWNSHIP 45 NORTH-RANGE 4 EAST, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI **(FIRST AND SECOND READINGS - DEPARTMENT OF PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2564. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2564 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember, for a second reading of Bill No. 2564. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2564 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2564, with the following results: Ayes – Casey, Fults, Durrell, Nation, Geiger, Hurt and Erickson. Nays - None. Whereupon, Mayor Nations declared Bill No. 2564 approved, passed it and it became **ORDINANCE NO. 2380** .

Councilmember Fults noted that “Drug Prevention Day” would take place on August 8, at the Westfield Chesterfield Mall, from 10am – 4pm.

ADJOURNMENT

Mayor Nations adjourned the meeting at 10:33 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk