



## RECORD OF PROCEEDING

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

**July 18, 2005**

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

The following members of Cub Pack #597, Den 3, from Ascension Catholic School, led everyone in the Pledge of Allegiance: Alex Krekemeier, Andrew Long, Matt Shearn and Nicolas Ceriotti. Also in attendance were Troop Leaders Linda Ceriotti, Joi Dollar and Susan Long.

Mayor Nations led everyone in a moment of silent prayer.

#### **COMMUNICATIONS AND PETITIONS**

Mayor Nations presented William Kolath, former Chairperson and an original member of the Chesterfield Beautification Committee with a Certificate of Appreciation for serving the City in this capacity. Mayor Nations commended Mr. Kolath for developing the landscaping plan for the quadrangle at Hwy 40 and Clarkson/Olive, helping to select the design for the Chesterfield City limit sign, establishing a citizens' spring and fall work day, developing a recommendation for the City to establish a grant program for improving privately owned property at subdivision entrances and submitting the slogan contest idea to the City.

Mayor Nations next recognized Kay Folsom, Chairperson of the Beautification Committee, who, in turn, introduced Tina Worth, Chairperson of the Garden Tour, who presented a video tape of the very successful first annual Chesterfield Garden Tour sponsored by the Beautification Committee. In addition, Ms. Worth presented Mayor Nations with a check in the amount of \$8,351.20, which was raised by this event, for use by the City in the planting of trees, scrubs and flowers throughout the City. Ms. Folsom announced that the Second Annual Garden Tour had been scheduled for June 24, 2006.

Mayor Nations next recognized Mark Leach, member of the Landmark Preservation Commission, who supported the proposed Annual Chesterfield Ancient History Leonard Blake Award. This proposed award would recognize individuals or organizations that have made significant contributions toward the understanding of Chesterfield ancient history. The award is named in honor of the late Dr. Leonard Blake, whose archeological work goes back to the 1940's, and who first brought attention to Chesterfield's rich ancient past. Mr. Leach supported the establishment of an Annual Chesterfield Ancient History Award.

A roll call was then taken with the following results:

PRESENT

ABSENT

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

None

APPROVAL OF MINUTES

The minutes of the June 20, 2005, 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. Councilmembers Streeter and Flachsbart "Abstained"

INTRODUCTORY REMARKS

Mayor John Nations announced that the next meeting of City Council has been scheduled for August 1 at 7 p.m.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that Bill No. 2357 (Amends the budget ordinance regarding budget reporting/amending procedures) and Bill No. 2358 (Establishes licensing and regulation of adult entertainment businesses) will be considered for final approval, under the "Legislation" portion of the agenda.

Councilmember Durrell announced that the next meeting of this Committee has been scheduled for July 20 at 5:30 p.m.

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

Councilmember Barry Streeter, Chairperson of the Public Works/parks Committee, reported that Bill No. 2363 (pertains to the acceptance of public streets within Miramonte Subdivision) will be read for the first time and Bill No. 2361 (pertains to the acceptance of public streets within Schoettler Manor Subdivision), Bill No. 2362 (pertains to the acceptance of public streets within Coventry Farm 2<sup>nd</sup> Addition), Bill No. 2364 (approves the installation of a fire hydrant on Conway Road) and Bill No. 2365 (approves the installation of fire hydrants in Wings Corporate Estates) will be considered for final approval under the “Legislation” portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for August 2 at 5:30 p.m.

### **Planning and Zoning Committee**

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that First Community Credit Union is seeking an amendment to their project, which was originally approved by City Council on October 4, 2004. The amended Site Development Section Plan is for the inclusion of a permanent back-up generator on site, which will be screened by landscaping. The generator will sit on a 6” slab of concrete. Councilmember Casey made a motion, seconded by Councilmember Hurt, to approve the Amended light plan and the Amended Site Development Section Plan. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next reported that the Landmarks Preservation Commission has proposed the establishment of an Annual Chesterfield Ancient History (Leonard Blake) Award. The award will recognize a group or an individual who made contributions towards the understanding of Chesterfield’s ancient archaeological record. Councilmember Casey made a motion, seconded by Councilmember Flachsbar, to establish the Annual Chesterfield Ancient History (Leonard Blake) Award. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next reported that Bill No. 2366 (Approves a record plat for Chesterfield Commons West, Plat One) and Bill No. 2367 (Approves a record plat for Chesterfield Commons West, Plat Two) and Bill No. 2368 (Approves a boundary adjustment plat for Chesterfield Commons East, Lot 1 and Lot 11) will be considered for final approval under the “Legislation – Planning Commission” portion of the agenda.

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

City Administrator Michael G. Herring reported that El Maguey, located at 13377 Olive Boulevard and Wild Horse Grill, 101 Chesterfield Towne Center, have applied for liquor licenses to sell all kinds of liquor by the drink and Sunday sales. The applications have been approved by both the Police and Planning Departments. These “new” licenses are being sought, due to a change in ownership for both businesses. Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve issuance of liquor licenses to El Maguey and Wild Horse Grill. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next recommended that City Council approve Resolution No. 320, which, when approved by voters in Chesterfield, will establish a Valley-Wide Transportation Development District (TDD). Councilmember Brown made a motion, seconded by Councilmember Fults, to adopt Resolution No. 320. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Mr. Herring next reported that City Staff and the Staff working for the Great Rivers Greenway District (GRGD), have been interviewing consultants for the purpose of developing a recommendation for professional services related to master planning/preliminary engineering/right-of-way acquisition, regarding more than 16 miles of trail surface to be constructed over the Monarch-Chesterfield Levee. Staff has secured a commitment from GRGD for funding in excess of \$4 million, with regard to this project. Chesterfield’s responsibilities for funding, under this grant, will include all costs associated with right-of-way acquisition, any expenses above and beyond GRGD’s standard trail section and/or any expenses related to amenities that do not serve a “regional benefit to the Missouri River Greenway”. It is the collective recommendation of the individuals noted above that a contract be awarded to Kuhlmann Design Group, Inc. in an amount not to exceed \$960,000. Of this amount \$710,000 will be funded by GRGD with the remaining \$250,000 to be funded by the City of Chesterfield. This amount will eventually be covered by the Chesterfield Valley Transportation Development District (TDD), if/when approved by the residents who will be voting to establish said TDD. In the meantime, it is Staff’s recommendation that existing funds from Proposition “P” be used to cover this entire amount, with the intent of reimbursing the Proposition “P” account, once the Chesterfield Valley TDD has been approved and is in place. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to approve Mr. Herring’s recommendation and award a contract to Kuhlmann Design, as noted above, at a total cost of \$960,000, with the City’s share of that amount to be \$250,000. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Mr. Herring next reported that City Council previously authorized expenditures, from the TIF Fund to Thomas and Hutton Engineering, in an amount not to exceed \$500,000, for a multitude of engineering services related to development of the Valley Master Stormwater Model. Assistant Director of Public Works/Parks Brian McGownd is requesting authorization to increase this contractual arrangement, by an additional \$200,000, to be funded entirely by TIF Funds, increasing the total authorization to \$700,000. Mr. Herring joined with Mr. McGownd in recommending that City Council

authorize an additional appropriation, from the TIF Account, of \$200,000, which will fund the continued utilization of Thomas and Hutton Engineering Company for professional services related to the Valley Master Stormwater Plan. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to approve this recommendation and authorize an additional appropriation, from the TIF Account, of \$200,000, for the purposes described above. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Mr. Herring next reported that Staff was authorized, by the Public Works/Parks Committee, to negotiate a change order with one of the current contractors working on the Miracle Field, Demien Construction, to construct entry columns and monument signage. With that in mind, Mr. Herring recommended that City Council approve a change order, with Demien Construction, totaling \$35,900, which would increase the total amount of funding authorization for Demien Construction, to \$132,394. Adequate funds remain within the project budget to cover the entire amount of this change order. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to approve a change order to the existing contract with Demien Construction in an amount totaling \$35,900. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

Mr. Herring next joined with Director of Public Works/City Engineer Mike Geisel, in recommending award of a contract to Degel Truck Center, in an amount not to exceed \$46,789, for the purchase of a replacement fleet service vehicle, utilized by Fleet Mechanics. Mr. Herring noted that the F.Y. 2005 Budget contains \$48,585 for this purchase. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to award a contract to Degel Truck Center, in an amount not to exceed \$46,789, for the purchase of a replacement fleet service vehicle. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

Mayor Nations urged everyone in attendance to walk or ride bikes on the “Pathway on the Parkway”. This project is nearing completion and is a tremendous asset to the City.

## **LEGISLATION**

### **BILL NO. 2357**

AN ORDINANCE AMENDING ORDINANCE NO. 10 NO. 325, NO. 799 AND NO. 1539 WHICH ESTABLISHES BUDGET PROCEDURES FOR THE CITY OF CHESTERFIELD. **(SECOND READING –**

**FINANCE AND ADMINISTRATION COMMITTEE  
RECOMMENDS APPROVAL)**

Councilmember Durrell made a motion, seconded by Councilmember Streeter, for a second reading of Bill No.2357. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2357 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2357, with the following results: Ayes - Flachsbart, Hurt, Brown, Geiger, Durrell, Fults, Streeter and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2357 approved, passed it and it became **ORDINANCE NO. 2180.**

**BILL NO. 2358**                      PROVIDES FOR THE LICENSING AND REGULATION OF ADULT ENTERTAINMENT BUSINESSES WITHIN THE CITY OF CHESTERFIELD; ESTABLISHING FEES; AND PROVIDING PENALTIES FOR VIOLATIONS  
**(SECOND READING – FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Durrell made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2358. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2358 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2358, with the following results: Ayes - Fults, Casey, Durrell, Hurt, Geiger, Brown, Flachsbart and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2358 approved, passed it and it became **ORDINANCE NO. 2181.**

**BILL NO. 2361**                      PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN SCHOETTLER MANOR SUBDIVISION IN THE CITY OF CHESTERFIELD  
**(SECOND READING – PUBLIC WORKS/PARKS COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2361. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2361 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2361, with the following results: Ayes – Streeter, Fults, Hurt, Casey, Brown, Flachsbart, Durrell and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2361 approved, passed it and it became **ORDINANCE NO. 2182.**

**BILL NO. 2362**                      PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN COVENTRY FARM 2<sup>ND</sup> ADDITION SUBDIVISION IN THE CITY OF CHESTERFIELD

**(SECOND READING – PUBLIC WORKS/PARKS  
COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2362. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2362 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2362, with the following results: Ayes – Geiger, Brown, Fults, Hurt, Flachsbart, Durrell, Casey and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2362 approved, passed it and it became **ORDINANCE NO. 2183.**

**BILL NO. 2363**                      **PERTAINS TO THE ACCEPTANCE OF PUBLIC  
STREETS WITHIN MIRAMONTE SUBDIVISION IN  
THE CITY OF CHESTERFIELD (FIRST READING –  
PUBLIC WORKS/PARKS COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2363. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2363 was read for the first time.

**BILL NO. 2364**                      **APPROVES THE INSTALLATION OF A FIRE  
HYDRANT ON CONWAY ROAD LOCATED WITHIN  
THE CITY OF CHESTERFIELD (FIRST AND SECOND  
READINGS – PUBLIC WORKS/PARKS  
COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2364. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2364 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2364. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2364 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2364, with the following results: Ayes – Fults, Durrell, Casey, Hurt, Brown, Streeter, Flachsbart and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No. 2364 approved, passed it and it became **ORDINANCE NO. 2184.**

**BILL NO. 2365**                      **APPROVES THE INSTALLATION OF FIRE  
HYDRANTS IN WINGS CORPORATE ESTATES  
LOCATED WITHIN THE CITY OF CHESTERFIELD  
(FIRST AND SECOND READINGS – PUBLIC  
WORKS/PARKS COMMITTEE)**

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2365. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2365 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2365. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2365 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2365, with the following results: Ayes – Brown, Hurt, Durrell, Flachsbart, Geiger, Casey, Fults and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2365 approved, passed it and it became **ORDINANCE NO. 2185**.

### **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2366** PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR CHESTERFIELD COMMONS WEST, PLAT ONE, A 17.226 ACRE TRACT OF LAND ZONED “PI” PLANNED INDUSTRIAL, LOCATED NORTH OF EDISON AVENUE, SOUTH OF CHESTERFIELD AIRPORT ROAD AND WEST OF RHL DRIVE (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2366. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2366 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2366. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2366 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2366, with the following results: Ayes – Fults, Streeter, Casey, Geiger, Durrell, Brown, Hurt and Flachsbart. Nays - None. Whereupon, Mayor Nations declared Bill No. 2366 approved, passed it and it became **ORDINANCE NO. 2186**.

**BILL NO. 2367** PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR CHESTERFIELD COMMONS WEST, PLAT TWO, A 29.637 ACRE TRACT OF LAND ZONED “PC” PLANNED COMMERCIAL, LOCATED NORTH OF EDISON AVENUE, SOUTH OF CHESTERFIELD AIRPORT ROAD AND WEST OF RHL DRIVE (**FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2367. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2367 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No.2367. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2367 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2367, with the following results: Ayes – Flachsbart, Brown, Durrell, Geiger, Fults, Hurt, Casey and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2367 approved, passed it and it became **ORDINANCE NO. 2187.**

**BILL NO. 2368** APPROVES A BOUNDARY ADJUSTMENT PLAT, FOR A TRACT OF LAND BEING LOTS 1 AND 11 OF THE CHESTERFIELD COMMONS EAST SUBDIVISION IN U.S. SURVEY 2031 TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI (THE CHESTERFIELD 8 DEVELOPMENT, L.L.C.) **(FIRST AND SECOND READINGS – DEPARTMENTS OF PLANNING AND PUBLIC WORKS RECOMMEND APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Geiger, for the first reading of Bill No. 2368. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2368 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2368. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2368 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2368, with the following results: Ayes – Durrell, Fults, Brown, Streeter, Casey, Hurt, Flachsbart and Geiger. Nays - None. Whereupon, Mayor Nations declared Bill No.2368 approved, passed it and it became **ORDINANCE NO. 2188.**

**ADJOURNMENT**

Mayor Nations adjourned the meeting at 8:06 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk

