



## RECORD OF PROCEEDING

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

**July 21, 2003**

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

Mayor Nations 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

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 July 7, 2003, City Council meeting were submitted for approval. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to approve the July 7, 2003 City Council minutes. A voice vote was taken with an affirmative result (Councilmembers Casey and Brown “Abstained”) and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor John Nations welcomed the Boy Scouts in the audience who were observing the City Council meeting.

Mayor Nations next commended Chief of Police Ray Johnson for his efforts in securing accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). The City of Chesterfield is the 5<sup>th</sup> municipality in St. Louis County and the 10<sup>th</sup> municipality in the State of Missouri to receive this prestigious designation for its Police agency.

Mayor Nations next welcomed State Representative Jane Cunningham to the meeting.

## **COMMUNICATIONS AND PETITIONS**

There were no communications or petitions to be addressed.

## **APPOINTMENTS**

Mayor Nations stated his intention to nominate Barbara Markus Briggs, Jade Bute and Dr. George Goodman for re-appointment to the Chesterfield Arts Commission. Councilmember Casey made a motion, seconded by Councilmember Hurt, to re-appoint Barbara Markus Briggs, Jade Bute and Dr. George Goodman for re-appointment to the Chesterfield Arts Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Their terms will expire August 1, 2007.

Mayor Nations next nominated the following individuals for re-appointment to the following committees:

Bryant Conant (Ward I) and Bud Gruchalla (Ward I) - Architectural Review Board with their terms expiring May 15, 2005.

Robert D. McAllister (Ward I – Alternate Position) – Board of Adjustment with his 5-year term expiring June 1, 2008.

Michael Comens (Ward I) - Finance and Administration Citizens Advisory Committee with his 3-year term expiring June 15, 2006.

Arland Stemme (Ward I) and Kathy Goldner (Ward I) - Landmark Preservation Commission with their 3-year terms expiring July 1, 2006.

Russell Wertz (Ward I) - Public Works Citizens Advisory Group with his 5-year term expiring July 1, 2008.

Jodi Reler (Ward I) - Transportation Committee with her 3-year term expiring July 1, 2006.

Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to approve all the Mayor's nominations, as listed above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2169 (P.Z. 5-2003, Liberty Homes) will be read for the first time and Bill No. 2159 (P.Z. 31-2002, Stoneridge Development) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

Councilmember Streeter next made a motion, seconded by Councilmember Flachsbart to hold Bill No. 2166 (P.Z. 3-2003, Montgomery First National Bank). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for July 24 at 5:30 p.m.

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

Councilmember Connie Fults, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2168 (accepts public streets in Tara at Wildhorse Subdivision) would be read for the first time and Bill No. 2164 (accepts public streets in Ladue Royal Subdivision) and Bill No. 2165 (accepts public streets in Spirit Trade Center) will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for August 11 at 5:30 p.m.; however, due to some conflicts, it may become necessary to reschedule this meeting.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that bids were recently sought for concrete flatwork associated with the City's Municipal Parks Grant at the Chesterfield Valley Athletic Complex. This construction project will involve additional sidewalks, bleacher pads and other improvements to enhance access to the CVAC for the general public, as well as those that have physical impairments. Mr. Herring noted that he joined with Director of Public Works/City Engineer Mike Geisel in recommending an award of a contract, in an amount not to exceed \$99,420, to Harlan Company. Mr. Herring noted that adequate funds exist within the current budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award

a contract, in an amount not to exceed \$99,420, to Harlan Company, for concrete flatwork associated with the City's Municipal Parks Grant at the Chesterfield Valley Athletic Complex. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that he also joined with Director of Public Works/City Engineer Mike Geisel in recommending award of a contract, not to exceed \$100,000, to Kuhlmann Design Group, for professional services related to the design of the Old Baxter Road reconstruction project (Phase II). This work is related to the engineering design for the reconstruction of Old Baxter Road from Oak Post northwardly to its terminus at Brandywine Condominiums. Mr. Herring noted that adequate funds exist within the current budget to cover this entire expense. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to award a contract, not to exceed \$100,000, to Kuhlmann Design Group, for professional services related to the design of the Old Baxter Road reconstruction project (Phase II). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next submitted the following requests for liquor licenses, which have been reviewed and approved by the Police and Planning Departments:

O&W Restaurant and Saloon, 18000 Chesterfield Airport Road, is requesting a Sunday sales license, in addition to the regular license, already assigned. Councilmember Casey made a motion, seconded by Councilmember Streeter, to approve the Sunday sales license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Ballparkconcessions.com, 17925 N. Outer Forty (CVAC) is requesting a Sunday beer sales license, in addition to the beer license already assigned. Councilmember Streeter made a motion, seconded by Councilmember Casey, to approve the Sunday sales license. A voice vote was taken with an affirmative result (Councilmember Fults voted "No") and the motion was declared passed.

Gator Flats, 119 Long Road, is requesting a liquor-by-the-drink license, in addition to the package sales license, not for consumption on the premises, already assigned. Councilmember Casey made a motion, seconded by Councilmember Streeter, to approve the liquor-by-the-drink license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

Councilmember Hurt commented that he would like for City Council to recognize Chesterfield residents who are returning veterans of the wars in Iraq and Afghanistan. Mayor Nations noted that he had already directed Staff to attempt to identify those individuals, for such recognition. Mr. Herring requested that the Press assist in this process, by promoting this idea in the local papers. Councilmember Flachsbart suggested

checking with representatives of the various Armed Services, for information regarding these veterans.

## **LEGISLATION**

**BILL NO. 2164**      PERTAINS TO THE ACCEPTANCE OF THE PUBLIC STREET WITHIN LADUE ROYAL SUBDIVISION IN THE CITY OF CHESTERFIELD (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2164. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2164 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2164, with the following results: Ayes – Durrell, Casey, Brown, Streeter, Geiger, Fults, Flachsbart and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2164 approved, passed it and it became **ORDINANCE NO. 1941.**

**BILL NO. 2165**      PERTAINS TO THE ACCEPTANCE OF THE PUBLIC STREET WITHIN SPIRIT TRADE CENTER SUBDIVISION IN THE CITY OF CHESTERFIELD (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2165. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2165 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2165, with the following results: Ayes – Durrell, Casey, Brown, Streeter, Geiger, Fults, Flachsbart and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2165 approved, passed it and it became **ORDINANCE NO. 1942.**

**BILL NO. 2168**      PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN TARA AT WILDHORSE SUBDIVISION WITHIN THE CITY OF CHESTERFIELD (**FIRST READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2168. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2168 was read for the first time.

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2159**      AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R-5” RESIDENCE DISTRICT TO A “PC” PLANNED

COMMERCIAL DISTRICT FOR 9.3 ACRES LOCATED ON THE SOUTH SIDE OF SOUTH OUTER FORTY ROAD, NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH LANE (P.Z. 31-2002 STONERIDGE DEVELOPMENT)(**SECOND READING – PLANNING COMMISSION/PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2159. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2159 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2159, with the following results: Ayes – Geiger, Durrell, Streeter, Flachsbar, Fults and Brown. Nays – Hurt and Casey. Whereupon, Mayor Nations declared Bill No. 2159 approved, passed it and it became **ORDINANCE NO. 1943**.

**BILL NO. 2169** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A COMMERCIAL SERVICE PROCEDURE WITHIN AN “R-3” RESIDENCE DISTRICT FOR A .36 ACRE TRACT OF LAND LOCATED AT 996 CHESTERFIELD PARKWAY EAST, SOUTH OF OLIVE BOULEVARD, AND NORTH OF INTERSTATE 64/HIGHWAY 40 (P.Z. 5-2003) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Flachsbar, for the first reading of Bill No. 2169. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2169 was read for the first time.

**ADJOURNMENT**

There being no additional items to discuss, Mayor Nations adjourned the meeting at 7:28 p.m.

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Mayor John Nations

**ATTEST:**

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Martha L. DeMay, City Clerk

