



RECORD OF PROCEEDING

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

SEPTEMBER 15, 2008

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

Girl Scout Troop 1171 from Incarnate Word Parish led everyone in the Pledge of Allegiance. Mayor Nations followed with a moment of silent prayer. Mayor Nations recognized and thanked: Stephanie Vierling, Annabelle Brozek, Carolyn Karutz, Taylor Rowland, Lauren Ziegler, Katie Kersting, Mia Maciorowski and Megan Puettmann for their participation in this opening ceremony. Also in attendance were Troop Leaders Dave and Dot Kersting and Anne Marie Maciorowski. Mayor Nations presented a Proclamation to Girl Scout Troop 1171, commemorating their participation.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Gene Schenberg
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

None

PRESENTATION

Mayor Nations recognized Libbey Malberg, Assistant City Administrator for Community Services and Economic Development, who recognized and thanked both Ms. Akiko Ito and Mr. Dan Borders, who submitted the winning photos for the City's recent photo contest. Mayor Nations congratulated Ms. Ito and Mr. Borders and presented Proclamations and gifts of appreciation to each of them. Mayor Nations also thanked Ms. Malberg for coordinating the photo contest.

APPROVAL OF MINUTES

The minutes of the September 3, 2008, City Council meeting, as amended, 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 announced that the next meeting of City Council has been scheduled for Monday, October 6, at 7 p.m.

Mayor Nations commended the staff of the Public Works and Police Departments for their efforts during the weekend storm. Councilmember Flachsbart requested that City Administrator Mike Herring extend "thanks" to the Public Works Department for their work during the storm.

COMMUNICATIONS AND PETITIONS

Jerry Duepner, representing the Home Builders Association (HBA), spoke about the HBA's proposed amendments to Bill No. 2656 [City of Chesterfield Section 1003.168.D.7 (Temporary Signs - Development related)] and discussed the proposed "blue sheet" amendments prepared by City Attorney Rob Heggie, with assistance from Planning and Development Services Director Aimee Nassif.

Mike Doster, attorney for the petitioner, requested that Bill No. 2662 (P.Z. 14-2008 Four Seasons Plaza, Lot 2 (Caplaco Seven, Inc. & Dierbergs Four Seasons, Inc.) be "held" until the October 6 City Council meeting and spoke in support of Bill No. 2667 (Lot Split - Mark Andy Industrial Park).

COUNCIL COMMITTEE REPORTS

Planning/ Public Works Committee

Councilmember Dan Hurt, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Flachsbart, to approve the proposed "50-50" funding partnership with Sachs Properties for upgrades to Chesterfield Center Drive. The

total estimated cost for this project is \$100,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Bill No. 2666 (Establishes “No Parking” restrictions on a portion of Wild Horse Parkway Drive) will be read for the first time under the “Legislation” portion of the Agenda.

Councilmember Hurt next made a motion, seconded by Councilmember Flachsbart, to approve the recommendation to amend the current contract with Pace Construction for Phase II of the Monarch/Chesterfield Levee Trail. The increased cost of \$150,000, is needed for costs associated with raising a portion of the levee, as requested by the Monarch-Chesterfield Levee District. That total amount will be reimbursed to the City, by the Levee District. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Nation made a motion, seconded by Councilmember Casey, to “hold” Bill No. 2656 [City of Chesterfield Section 1003.168.D.7 (Temporary Signs - Development related)] until the October 6 City Council meeting. A voice vote was taken with an affirmative result (Councilmember Fults voted “No”) and the motion was declared passed.

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to “hold” Bill No. 2662 (P.Z. 14-2008 Four Seasons Plaza, Lot 2 (Caplaco Seven, Inc. & Dierbergs Four Seasons, Inc.) until the October 6 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt reported that Bill No. 2663 (Removes yield sign - Intersection of Village Green Parkway and Clayton Road) will be considered for adoption, under the “Legislation” portion of the Agenda.

Councilmember Hurt next reported that Bill No. 2664 (Boundary Adjustment Plat - Schoettler Estates) and Bill No. 2667 (Lot Split - Mark Andy Industrial Park) are scheduled for both first and second reading approval, under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Thursday, September 18, at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that a liquor license request has been received from Andria’s Steak House Restaurant, located at 16125 Chesterfield Parkway West, to sell all kinds of liquor by-the-drink and Sunday sales. Mr. Herring stated that this application has been reviewed and recommended for approval by the Departments of Planning/Public Works and Police. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve issuance of the liquor license to Andria’s Steak House

Restaurant. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Casey announced that the Chesterfield Police Department will be hosting a “free” Safety Fair at the City Hall parking lot on Saturday, September 20, from 11:00 a.m. – 3:00 p.m. Councilmember Casey commended Chief Johnson and the Police Department for their efforts in coordinating this event.

LEGISLATION

BILL NO. 2663 AMENDS ORDINANCE NUMBER 35, SCHEDULE VII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY DELETING A YIELD SIGN AT THE INTERSECTION OF VILLAGE GREEN PARKWAY AND CLAYTON ROAD **(SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2663. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2663 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 2663 with the following results: Ayes – Schenberg, Fults, Hurt, Flachsbart, Erickson, Geiger, Nation and Casey. Nays – None. Whereupon Mayor Nations declared Bill No. 2663 approved, passed it and it became **ORDINANCE NO. 2481**.

BILL NO. 2666 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON WILDHORSE PARKWAY DRIVE, WEST OF WILD HORSE CREEK ROAD **(FIRST READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2666. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2666 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2664 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOT 3 OF HENRY EBERWEIN’S SUBDIVISION AND LOT 1 OF SCHOETTLER ESTATES AND BEING PART OF TOWNSHIP 45 NORTH, RANGE 4 EAST, CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI. **(FIRST AND SECOND READINGS; DEPT. OF PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2664. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2664 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Schenberg, for a second reading of Bill No. 2664. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2664 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 2664 with the following results: Ayes – Fults, Casey, Erickson, Hurt, Nation, Geiger, Flachsbart and Schenberg. Nays – None. Whereupon Mayor Nations declared Bill No. 2664 approved, passed it and it became **ORDINANCE NO. 2482**.

BILL NO. 2667 APPROVES A LOT SPLIT FOR A TRACT OF LAND BEING LOCATED IN U.S. SURVEYS 122 AND 150, TOWNSHIP 45 NORTH, RANGE 3 EAST, OF THE 5TH PRINCIPAL MERIDIAN, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI (MARK ANDY INDUSTRIAL PARK) **(FIRST AND SECOND READINGS; DEPT. OF PLANNING AND PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Hurt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2667. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2667 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2667. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2667 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 2667 with the following results: Ayes – Nation, Schenberg, Geiger, Erickson, Fults, Casey, Hurt and Flachsbart. Nays – None. Whereupon Mayor Nations declared Bill No. 2667 approved, passed it and it became **ORDINANCE NO. 2483**.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:40 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggiar, City Clerk