



RECORD OF PROCEEDING

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

September 18, 2006

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

Cub Pack #597, Dens #1, #5 and #10, George Frank, Karl Frank, Ryan Rueckert, Michael Rueckert, Michael Scherping and Joe Suntrup led everyone in the Pledge of Allegiance. Also in attendance was Den Leader Stephanie Rueckert.

Mayor John Nations 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

APPROVAL OF MINUTES

The minutes of the September 6, 2006, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, 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 KMOX and the Chesterfield Chamber of Commerce were sponsoring a Jazz & Wine Festival on Saturday, September 23 in Faust Park from 2 – 8 p.m. and urged everyone to attend this event.

Mayor Nations next announced that the next meeting of City Council has been scheduled for Wednesday, October 4.

COMMUNICATIONS AND PETITIONS

Nabeel Gareeb, who resides at 16830 Eagle Bluff Court, opposed the site development plan, proposed for the Fox Hill Farms development, and suggested several changes.

Mike Doster, attorney for the petitioner, indicated that he would support the changes proposed by Mr. Gareeb, to the site development plan for the Fox Hill Farms development.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Casey, to approve Resolution No. 332, which approves the Five Year Plan (Budget Forecast). He further stated that the City is in an excellent financial position and that this Plan includes projected maintenance expenses for the new financial management software, as well as the expenses for the Sachs Lake construction. In addition, the “Plan” will include a listing of all currently authorized, full-time employee positions. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger next made a motion, seconded by Councilmember Casey, to approve the proposed 2007 City Council meeting schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger announced that the next meeting of this Committee will be the Budget Workshop, which has been scheduled for November 4, at 9 a.m.

Public Works/Parks Committee

Councilmember Dan Hurt, Chairperson of the Public Works/parks Committee, reported that Bill No. 2466 (Renames “JW” Drive” to “First Community Drive”) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for September 28, at 5:45 p.m.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, requested that the Site Development Plan for Fox Hill Farms be addressed at this time. Councilmember Brown made a motion, seconded by Councilmember Fults, to approve the Site Development Plan, Architectural Elevations and Landscape Plan for Fox Hill Farms, to be amended by removal of the sidewalks on Eagle Bluff Court, eliminating paver blocks and requiring a sign at the entrance to Fox Hill Farms, indicating the end of City Maintenance. Approval at tonight's meeting will be subject to the Petitioner submitting an amended Site Development Plan, reflecting these changes, to enable review by City Council at the October 4, 2006 City Council meeting. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to amend the motion to remove the requirement for placement of the sign re: "End of City Maintenance", from the previously stated motion. A roll call vote was taken with the following results: Ayes – Flachsbart and Durrell. Nays – Streeter, Fults, Hurt, Casey, Geiger and Brown. The Mayor declared the motion failed. Councilmember Flachsbart made a motion to delete the requirement, from this motion, requiring removal of the paver blocks. The motion died for lack of a second. Mayor Nations called for a roll call vote for approval of the Site Development Plan, Architectural Elevations and Landscape Plan for Fox Hill Farms, with the amendments noted above. Ayes – Brown, Geiger, Casey, Durrell, Hurt, Fults, Flachsbart and Streeter. Nays – None. Mayor Nations declared the motion passed.

Councilmember Brown made a motion, seconded by Councilmember Streeter, to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for St. Luke's Hospital – CV/ICU Addition. At this time, Mayor Nations recognized Don Miller of St. Luke's Hospital, who was in attendance, and commended him for the part he played in this beautiful addition to the City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown made a motion, seconded by Councilmember Casey, to hold Bill No. 2475 (P.Z. 39-2005 – Westland Acres (Westland Acres Development LLC), until the October 16 meeting of City Council. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, to hold Briarcliffe Villas Site Development Plan and Landscape Plan, until the next meeting (October 4, 2006). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown made a motion, seconded by Councilmember Casey, that the Protest Petition for Barry Simon Development (Tuscany Reserve) P.Z. 5-2006, be referred to the Planning and Zoning Committee for the scheduling of a hearing. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Brown next reported that Bill No. 2483 (P.Z. 15-2006, Wild Horse Creek Road Office (Larry Mintz) will be read for the first time and Bill No. 2474 (P.Z. 10-2006, Plan Provision LLC (Wildhorse Child Care Center) and Bill No. 2484 (Wild Horse Child Care Center – Boundary Adjustment Plat) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for Thursday, Oct. 19 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for the replacement of trees and bushes in the medians along Highway 340 and other rights-of-way areas. Based upon a review of the information contained within the memo provided to him by Darren Dunkle, Superintendent of Parks and Recreation, he joined with him in recommending the award of a contract to Farinella Nursery for the removal of dead plant material and for replacement with new tree/plant materials for certain areas of the Clarkson/Olive medians, as well as several other right-of-way areas, in an amount not to exceed \$43,313.00. Mr. Herring noted that the FY 2006 budget contains funds to cover this entire expense. Councilmember Casey made a motion, seconded by Councilmember Brown, to award a contract to Farinella Nursery, as noted above, in an amount not to exceed \$43,313.00. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Noodles & Company, located at 1784 Clarkson Road, requested a liquor license to serve beer and wine by the drink and Sunday sales. A motion was made by Councilmember Streeter, seconded by Councilmember Geiger, to approve issuance of a liquor license as requested. A voice vote was taken with a unanimous affirmative result and the motion was declared passed

Oishi Steak House and Sushi Bar, located at 100 Chesterfield Valley Drive, requested a liquor license to serve all kinds of liquor by the drink and Sunday sales. Councilmember Casey made a motion, seconded by Councilmember Fults, to approve issuance of a liquor license as requested. A voice vote was taken with a unanimous affirmative result and the motion was declared passed

NEW BUSINESS

Councilmember Geiger requested that the Public Works/Parks Committee discuss the possibility of establishing “No Parking” zones on Justus Post Road, from the Chesterfield Parkway to Milbridge. Mr. Herring assured Councilmember Geiger that this item would be added to the next PW/P Committee agenda.

LEGISLATION

BILL NO. 2466 RENAMES ONE (1) STREET, FROM "JW DRIVE" TO "FIRST COMMUNITY DRIVE" (**SECOND READING; PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Hurt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2466. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2466 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2466, with the following results: Ayes – Durrell, Hurt, Brown, Casey, Flachsbart, Streeter, Geiger and Fults. Nays - None. Whereupon, Mayor Nations declared Bill No. 2466 approved, passed it and it became **ORDINANCE NO. 2299.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2474 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E 1/2 ACRE” ESTATE DISTRICT FOR A 2.245 ACRE TRACT OF LAND LOCATED NORTH OF WILDHORSE CREEK ROAD AND WEST OF LONG ROAD (P.Z. 10-2006 PLAN PROVISION, LLC (WILDHORSE CHILD CARE CENTER) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED “GREEN SHEET”**)

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2474. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2474 was read for the second time. Councilmember Brown made a motion, seconded by Councilmember Flachsbart, to approve the amendments, as detailed in the “green sheet”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill No. 2474, as amended, with the following results: Ayes – Fults, Geiger, Streeter, Flachsbart, Casey, Brown, Hurt and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2474 approved, passed it and it became **ORDINANCE NO. 2300.**

BILL NO. 2483 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN

“NU” NON-URBAN DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR A 1.47 ACRE TRACT OF LAND LOCATED NORTH OF WILD HORSE CREEK ROAD AND WEST OF LONG ROAD. (P.Z. 15-2006 WILD HORSE CREEK ROAD OFFICE-LARRY MINTZ) (FIRST READING- PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED “GREEN SHEET”)

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2483. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2483 was read for the first time. Councilmember Brown made a motion, seconded by Councilmember Hurt, to adopt the amendments, as they appear on the “green sheet”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2484 APPROVES A BOUNDARY ADJUSTMENT PLAT FOR A TRACT OF LAND BEING PART OF LOTS 2 AND 3 OF MARY SCHAEFFER ESTATES SUBDIVISION IN U.S. SURVEY 122 TOWNSHIP 45 NORTH, RANGE 3 EAST, CITY OF CHESTERFIELD, SAINT LOUIS COUNTY, MISSOURI. (WILD HORSE CHILD CARE CENTER). **(FIRST AND SECOND READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Brown made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2484. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2484 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2484. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2484 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2484, with the following results: Ayes – Brown, Flachsbart, Geiger, Hurt, Durrell, Fults, Casey and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2484 approved, passed it and it became **ORDINANCE NO. 2301.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:53 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk