

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD

September 19, 2001

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

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Charles Scheidt

ABSENT

Councilmember Mary Brown

Mayor Nations led those in attendance in the Pledge of Allegiance, the singing of “America the Beautiful” in remembrance of the tragic terrorist attack on the World Trade Center, September 11, and, lastly, in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the September 5, 2001, City Council meeting were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Streeter seconded the motion. A voice vote was taken with an affirmative result (Councilmember Flachsbart “Abstained”) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations introduced Darcy Capstick, Chairperson of the Citizens Committee for the Environment. Ms. Capstick and Ken Denson, Co-Chairperson, presented Green Team recognition to Dark Green Naturally and SSM Healthcare for their efforts in reducing, recycling and reusing materials.

COMMUNICATIONS AND PETITIONS

Due to the interest shown by the number of residents attending the City Council meeting with interest in Bill No. 1998, Nooning Tree, PEU ordinance amendment, Councilmember Schedit

made a motion, seconded by Councilmember Geiger, to suspend the rules of Council to address Bill No. 1998. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt made a motion, seconded by Councilmember Geiger, to hold Bill No. 1998, Nooning Tree, until the next meeting in order to set up a meeting with the Mayor, Mr. Seegar, Bill Taylor, developer of Nooning Tree and himself, to discuss the possibility of acquiring a portion of the Seegar tract through the eminent domain process to, ultimately, permit an access street to Olive Blvd. City Attorney Doug Beach stated that the map distributed to the Mayor and Council for this meeting differed from the map the City Council had in their possession at the Work Session. This drawing is known as "Exhibit A." Much discussion ensued. A voice vote was taken to hold Bill No. 1998 with a unanimous affirmative result and the motion was declared passed.

Michael Olszewski, who resides at 15558 Rose Gate Lane, requested that the Public Works Department evaluate the situation regarding "street creep" in the Whitebrook subdivision.

Lynne Strasser, who resides at 14615 Adgers Wharf Drive, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Kathy Wyble, who resides at 23598 Pike in Bowling Green, MO, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Michael Fox, who resides at 1049 Terrace Drive, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Larry Chapman, developer for Stoneridge and who resides at 13397 Lake Front Drive, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Charles Dufor, attorney representing the property owners, 8011 Clayton Road, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Mary Schultz, attorney for the petitioner, 7700 Bonhomme Avenue, opposed the "R-5" zoning for Bill No. 2010, Stoneridge Development, P.Z. 44-2000.

Steve Koslovsky, attorney for the petitioner, 168 N. Meramec, supported Bill No. 2005, P.Z. 18-2001, United States Postal Service and Bill No. 2006, P.S. 19-2001, Sachs Properties.

John Renth, who resides at 14752 Whitebrook Drive, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Charles Guess, who resides at 14250 Finger Lake Drive, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Stan Goldenberg, who resides at White Birch Valley Lane, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Linda Hilton, who resides at 406 Whitree, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Steve Greenwood, who resides at 14441 Corallin Drive, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Art Francis, who resides at 14701 Whitebrook Road, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment.

Nancy Greenwood, who resides at 14441 Corallin Drive, supported an entrance on Olive Blvd., regarding Bill No 1998, Nooning Tree PEU ordinance amendment and presented petitions signed by residents along White Road who oppose an entrance on White Road. Former Mayor Greenwood stated for the record that she sent the members of City Council a letter in June 1997 indicating that she did not support the Nooning Tree development, due to its inappropriate density and the additional traffic that would generate on White Road. The ordinance became law without the Mayor's signature.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that Bill No. 2001, which amends the City Retirement Plan will be considered for adoption under the "Legislation" portion of the agenda.

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2009, which approves fire hydrants in Seasons at Schoettler and on Caprice Drive will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for September 26 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, announced that the next meeting of this Committee has been scheduled for September 20 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1998 (Nooning Tree – PEU Ordinance amendment), Bill No. 2003 (P.Z. 16-2001, Coventry farm, second addition rezoning), Bill No. 2004 (P.Z. 17-2001, Coventry Farm, second addition PEU), Bill No. 2005 (P.Z. 18-2001, U.S.Postal Service), and Bill No. 2006 (P.Z. 19-2001, Sachs Properties) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda. Bill No. 2007 (P.Z. 40-2000, Larry Enterprises) and Bill No. 2010 (P.Z. 44-2000, Stoneridge Development) will be read for the first time under the "Legislation – Planning Commission" portion of the agenda.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City received a liquor license request from Burger City, located at 17304 Chesterfield Airport Road, to sell beer and wine by the drink for consumption on the premises and Sunday sales. Councilmember Streeter made a motion, seconded by Councilmember Durrell, to approve the liquor license request from Burger City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that it would be necessary to award a contract for engineering services to Kuhlman Design Group, in an amount not to exceed \$13,391.33. This is required for additional design work on the Pathway on the Parkway project, beyond the scope of the original engineering services contract issued to Parsons Harland Bartholomew and Associates. There are adequate funds within our current budget to cover this entire expense. Councilmember Casey made a motion, seconded by Councilmember Streeter, to Kuhlman Design Group, in an amount not to exceed \$13,391.33, for additional design work on the Pathway on the Parkway project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Geiger made a motion, seconded by Councilmember Streeter, to replace the autumn light pole banners with the American flag banners, in memory of the recent terrorist attack upon our nation and to show support for our country and those who lost their lives needlessly this past week and to transfer \$2,000 from Contingency to cover the cost for this replacement. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2001 AMENDS THE CITY OF CHESTERFIELD RETIREMENT PLAN
(**SECOND READING** – FINANCE AND ADMINISTRATION
COMMITTEE RECOMMENDS APPROVAL)

Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2001. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2001 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2001, with the following results: Ayes – Casey, Flachsbart, Hurt, Scheidt, Durrell, Streeter and Geiger. Nays - None. Whereupon Mayor Nations declared Bill No. 2001 approved, passed it and it became **ORDINANCE NO. 1783**.

BILL NO. 2009 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN THE
SEASONS AT SCHOETTLER ADDITION SUBDIVISION AND ON
CAPRICE DRIVE, 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. 2009. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2009 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2009. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2009 was read for the second time. A roll call vote was

taken for passage and approval of Bill No. 2009, with the following results: Ayes – Casey, Hurt, Flachsbart, Durrell, Streeter, Scheidt, and Geiger. Nays - None. Whereupon Mayor Nations declared Bill No. 2009 approved, passed it and it became **ORDINANCE NO. 1784**.

LEGISLATION - PLANNING COMMISSION

BILL NO. 2003 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-3” RESIDENTIAL DISTRICT FOR A 3.84 ACRE TRACT OF LAND LOCATED ON KEHRS MILL ROAD AND COVENTRY WOODS COURT (P.Z. 16-2001, COVENTRY FARM, SECOND ADDITION) (**SECOND READING - PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2003. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2003 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2003, with the following results: Ayes – Flachsbart, Durrell, Casey, Streeter, Scheidt, Geiger, and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2003 approved, passed it and it became **ORDINANCE NO. 1785**.

BILL NO. 2004 ESTABLISHES A PLANNED ENVIRONMENT UNIT SPECIAL PROCEDURE IN THE “R-3” RESIDENTIAL DISTRICT FOR A 3.84 ACRE TRACT OF LAND LOCATED ON KEHRS MILL ROAD AND COVENTRY WOODS COURT (P.Z. 17-2001, COVENTRY FARM, SECOND ADDITION) (**SECOND READING - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2004. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2004 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2004, with the following results: Ayes - Streeter, Casey, Hurt, Flachsbart, Geiger, Scheidt, and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 2004 approved, passed it and it became **ORDINANCE NO. 1786**.

BILL NO. 2005 REQUESTS A CHANGE OF ZONING FROM “R-4” RESIDENTIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR .56 ACRES OF LAND LOCATED WEST OF OLIVE BOULEVARD, NORTH OF SWINGLEY RIDGE ROAD, AND EAST OF NARDIN DRIVE (P.Z. 18-2001, UNITED STATES POSTAL SERVICE) (**SECOND READING - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL**)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2005. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2005 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2005, with the following results: Ayes - Casey,

Streeter, Scheidt, Flachsbart, Durrell, Hurt, and Geiger. Nays - None. Whereupon Mayor Nations declared Bill No. 2005 approved, passed it and it became **ORDINANCE NO. 1787.**

BILL NO. 2006 REQUESTS A CHANGE OF ZONING FROM “C-2” AND “C-8” PLANNED COMMERCIAL DISTRICT TO “PC” PLANNED COMMERCIAL DISTRICT FOR 3.9 ACRES OF LAND LOCATED WEST OF OLIVE BLVD., NORTH OF SWINGLEY RIDGE ROAD, AND SOUTH OF CHESTERFIELD PARKWAY (P.Z. 19-2001, SACHS PROPERTIES) (**SECOND READING** - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2006. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart to amend the list of uses by eliminating “fast food” from the list. The motion died for lack of a second. Bill No. 2006 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2006, with the following results: Ayes - Scheidt, Geiger, Flachsbart, Casey, Hurt, Streeter and Durrell. Nays - None. Whereupon Mayor Nations declared Bill No. 2006 approved, passed it and it became **ORDINANCE NO. 1788.**

BILL NO. 2007 REQUESTS A CHANGE IN ZONING FROM “NU” NON URBAN DISTRICTS TO “PI” PLANNED INDUSTRIAL DISTRICT FOR A 14.1 ACRE SITE LOCATED NORTH OF INTERSTATE 64/HIGHWAY 40 AND NORTH OF NORTH OUTER 40, WEST OF BOONE’S CROSSING (P.Z. 40-2000, LARRY ENTERPRISES) (**FIRST READING** - PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2007. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2007 was read for the first time.

BILL NO. 2010 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “R-5” 6,000 SQ. FT. RESIDENCE DISTRICT FOR 9.2 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF SOUTH OUTER FORTY ROAD, NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH LANE (P.Z. 44-2000, STONERIDGE DEVELOPMENT) (**FIRST READING** – PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Scheidt made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 2010. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2010 was read for the first time.

ADJOURNMENT

Mayor Nations entertained a motion to adjourn the meeting. Councilmember Casey made a motion to adjourn the meeting. Councilmember Streeter seconded the motion. A voice vote

was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:35 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk