



## RECORD OF PROCEEDING

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

**September 19, 2005**

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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 September 7, 2005, 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 John Nations announced that a ribbon-cutting ceremony will be held on Saturday, September 24, at 8 a.m. in celebration of the completion and “grand opening” of the “Pathway on the Parkway” project. The “September Stroll”, sponsored by the Parks, Recreation and Arts Citizens Advisory Committee, will follow at 9am. There will be game, informational and food booths along the Parkway. Mayor Nations invited everyone to attend both events.

Mayor Nations announced that the next meeting of City Council has been scheduled for Monday, October 3.

## **COMMUNICATIONS AND PETITIONS**

James Melka, who resides at 14176 Trailtop Drive, supported Bill Nos. 2327 and 2328. The PH&S Committee voted to table both of these pieces of proposed legislation.

Robbyn Roth, Chairperson, and Valerie Taylor, Vice-Chairperson, of the Drug Abuse Task Force, shared the Mission Statement of the Committee and reported on the many activities that are planned for Chesterfield youth, during this school year. Because of the number of activities planned, both of these Committee members made a plea to recruit new members to serve on the Committee, to help plan and assist with these activities.

## **APPOINTMENTS**

Mayor Nations next nominated Mr. Alan Baudler, [Kelli: Insert his home address here], for appointment to the Board of Adjustment. Councilmember Flachsbart made a motion, seconded by Councilmember Durrell, to appoint Alan Baudler to the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Baudler’s term will expire June 1, 2008.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2383 (P.Z. 06-2005, Wildhorse Creek Investors (18217 Wildhorse Creek Road) and Bill No. 2384 (P.Z. 12-2005, City of Chesterfield (Adult Entertainment Uses) will be read for the first time and Bill No. 2380 (P.Z. 9-2005, Wilson Creek (Flower Homes, Inc.) and Bill No. 2385 (Approves record plat for Chesterfield Industrial Park Lot 1A) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for Thursday, September 22 at 5:30 p.m.

## **Public Health and Safety Committee**

Councilmember Connie Fults, Chairperson of the Public Health and Safety Committee, reported that Bill No. 2375 (Provides for the regulation of dangerous animals), Bill No. 2376 (Prohibits animals within City buildings), Bill No. 2377 (Provides for revision of the controlled substance ordinance), Bill No. 2378 (Authorizes increase in fines for ordinance violators) and Bill No. 2379 (Provides for a revision regarding municipal search warrants) will be considered for adoption under the “Legislation” portion of the agenda.

## **REPORT OF THE CITY ADMINISTATOR**

City Administrator Mike Herring reported that Director of Public Works/City Engineer Mike Geisel has recommended the establishment, temporarily, of a “Manager - Special Projects” position, to focus on a wide variety of capital construction projects, funded by Proposition “P” and TIF funds. The person filling the position would be responsible for supervising and directing the design of these construction projects, advertising for and recommending qualified bids for the construction of said projects, and, ultimately, supervising the construction of said projects. The volume of projects that need attention currently exceeds the capacity of the Public Works Engineering Division. Mr. Herring noted, however, that funds have been allocated for these projects, as well as funds to compensate the person selected to fill this position. Mr. Herring stated that it is critically important that these projects be designed and constructed as quickly as possible and he fully endorsed and supported Mr. Geisel’s recommendation. Councilmember Streeter made a motion, seconded by Councilmember Brown, to approve the temporary position of a “Manager - Special Projects” with funding to compensate this individual to come from Proposition “P” and TIF funds. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **LEGISLATION**

**BILL NO. 2375** PROVIDES FOR THE REGULATION OF DANGEROUS ANIMALS WITHIN THE CITY OF CHESTERFIELD (**SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2375. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2375 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2375, with the following results: Ayes – Fults, Hurt, Flachsbart, Casey, Durrell, Streeter, Geiger and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2375 approved, passed it and it became **ORDINANCE NO. 2198.**

**BILL NO. 2376** PROVIDES FOR THE PROHIBITION OF ANIMALS WITHIN CITY BUILDINGS IN THE CITY OF CHESTERFIELD

**(SECOND READING – PUBLIC HEALTH AND SAFETY  
COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2376. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2376 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2376, with the following results: Ayes – Flachsbart, Durrell, Brown, Geiger, Streeter, Fults, Casey and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2376 approved, passed it and it became **ORDINANCE NO. 2199.**

**BILL NO. 2377** PROVIDES FOR THE REPEAL OF ORDINANCE NO. 55 CODE SECTION 21-81-85 AND THE REVISION THEREOF REGARDING CONTROLLED SUBSTANCES IN THE CITY OF CHESTERFIELD **(SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2377. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2377 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2377, with the following results: Ayes – Casey, Durrell, Flachsbart, Geiger, Streeter, Hurt, Fults and Brown. Nays - None. Whereupon, Mayor Nations declared Bill No. 2377 approved, passed it and it became **ORDINANCE NO. 2200.**

**BILL NO. 2378** AMENDS ORDINANCE NO. 87 ESTABLISHING A GENERAL PENALTY FOR THE VIOLATION OF THE CITY OF CHESTERFIELD ORDINANCES BY INCREASING THE POTENTIAL FINE FOR VIOLATION THEREOF **(SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2378. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2201 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2378, with the following results: Ayes – Brown, Durrell, Casey, Flachsbart, Fults, Hurt, Geiger and Streeter. Nays - None. Whereupon, Mayor Nations declared Bill No. 2378 approved, passed it and it became **ORDINANCE NO. 2201.**

**BILL NO. 2379** PROVIDES FOR THE REVISION OF SEARCH WARRANTS IN THE CITY OF CHESTERFIELD **(SECOND READING – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2379. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2379 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2379, with the following results: Ayes – Durrell, Streeter, Fults, Geiger, Hurt, Flachsbart, Brown and Casey. Nays - None. Whereupon, Mayor Nations declared Bill No. 2379 approved, passed it and it became **ORDINANCE NO. 2202.**

### **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2380** AMENDS THE ZONING THE ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN/”FPNU” FLOOD PLAIN NON-URBAN DISTRICT TO AN “E1-ACRE” ESTATE DISTRICT FOR A 20.6 ACRE TRACT OF LAND, LOCATED ON WILDHORSE CREEK ROAD, APPROXIMATELY .6 MILES WEST OF THE INTERSECTION OF BAXTER ROAD AND WILDHORSE CREEK ROAD (P.Z. 9-2005, WILSON CREEK/FLOWER HOMES, INC.) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED**)

Councilmember Casey made a motion, seconded by Councilmember Fults, for a second reading of Bill No. 2380. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2380 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2380, with the following results: Ayes – Geiger, Flachsbart, Brown, Hurt, Fults, Casey, Streeter and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2380 approved, passed it and it became **ORDINANCE NO. 2203.**

**BILL NO. 2383** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO AN “E-2ACRE” ESTATE DISTRICT FOR A 25.1- ACRE TRACT OF LAND LOCATED NORTH OF WILDHORSE CREEK ROAD, EAST OF EATHERTON (P.Z. 06-2005, WILDHORSE CREEK INVESTORS, INC.) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL; BUT ONLY IF AMENDED AS DETAILED IN THE ATTACHED “GREEN SHEET”**)

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2383. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2383 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Durrell, to amend Attachment A by adopting the following revision as it appears on the “green sheet”: “The avigation easement will be recorded along with the Site Development Plan. In addition, the avigation easement will be referenced on the record plat and individual plot plans”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

**BILL NO. 2384** AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.140 AND SECTION 1003.150 TO INCLUDE ADULT ENTERTAINMENT USES IN THE “PC” PLANNED COMMERCIAL DISTRICT AND “PI” PLANNED INDUSTRIAL DISTRICT PERMITTED USES (P.Z. 12-2005, CITY OF CHESTERFIELD – ADULT ENTERTAINMENT USES) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2384. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2384 was read for the first time.

**BILL NO. 2385** PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR THE RE-SUBDIVISION OF LOT 1A, APPROXIMATELY 1.97-ACRES OF CHESTERFIELD INDUSTRIAL PARK INTO LOTS 1A-1, APPROXIMATELY 1.19-ACRES, AND 1A-2, APPROXIMATELY .75 –ACRES **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2385. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2385 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2385. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2385 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2385, with the following results: Ayes – Durrell, Fults, Geiger, Brown, Streeter, Flachsbart, Casey and Hurt. Nays - None. Whereupon, Mayor Nations declared Bill No. 2385 approved, passed it and it became **ORDINANCE NO. 2204.**

## **ADJOURNMENT**

Mayor Nations adjourned the meeting at 7:35 p.m.

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Mayor John Nations

ATTEST:

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Martha L. DeMay, City Clerk