



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
OCTOBER 7, 1996

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The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

### PRESENT

Mayor Jack Leonard  
Councilmember Barry Flachsbart  
Councilmember Colleen Hilbert  
Councilmember Larry Grosser  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Alan Politte  
Councilmember Mike Cullen  
Councilmember Linda Tilley

### ABSENT

None

Mayor Jack Leonard stated that due to the absence of City Administrator Mike Herring, Chief Ray Johnson has been designated as Acting-City Administrator.

The Pledge of Allegiance was led by Scout Troop #848 from Highcroft Ridge Elementary School: Tommy Sander, John Sander and Adam Prey.

Reverend David Lee from Green Trails Baptist Church led the City Council in prayer.

### APPROVAL OF MINUTES

The minutes of the September 16, 1996, City Council meeting were submitted for approval. A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## INTRODUCTORY REMARKS

Mayor Leonard recognized City Attorney Doug Beach who announced that in the City Council Executive Session no vote had been taken to settle the E. M. Harris lawsuit or to vote on the rezoning issue. However, there will be a vote on P. Z. 22-96, City of Chesterfield, to change the boundaries from non-urban to "R-1A." Mr. Beach turned the meeting over to Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee. Councilmember Streeter made a motion to suspend the rules to vote on Bill #1302 which relates to P. Z. 22-96, City of Chesterfield. The motion was seconded by Councilmember Tilley. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter explained to those in attendance that with the adoption of Bill No. 1302, the City of Chesterfield will rezone this property from a non-urban district to "R-1A" 22,000 sq. ft. residence district which would permit half acre lots.

**BILL NO. 1302      AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT AND "FPNU" FLOOD PLAIN NON-URBAN DISTRICT TO "R-1A" 22,000 SQ. FT. RESIDENCE DISTRICT FOR A 33.5 ACRE TRACT OF LAND ON THE NORTH SIDE OF WILD HORSE CREEK ROAD, EAST OF THE INTERSECTION OF LONG ROAD AND WILD HORSE CREEK ROAD/STATE HIGHWAY CC (P.Z. 22-96, CITY OF CHESTERFIELD (PLANNING AND ZONING COMMITTEE AND PLANNING COMMISSION RECOMMEND APPROVAL)**

A motion was then made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1302. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1302 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1302. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1302 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1302, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1302 approved, passed it and it became **ORDINANCE NO. 2043**.

## COMMUNICATIONS AND PETITIONS

Mr. D'Arcy Fox, who resides at 13 Chesterfield Lakes, expressed his support for passage of Bill No. 1302.

Mr. Robert Bauer, who resides at 1260 Bluffview Ridge Drive, expressed his support for passage of Bill No. 1302 and suggested use of the West Area Study as a guideline for future developments.

Mr. Bob Nations, who resides at 17669 Bridgeway Circle Drive, thanked the Council for adopting Bill No. 1302 and, also, expressed his support for Propositions R & S.

Dr. Theo Korakianitis, who resides at 27 Chesterfield Lakes, expressed his support the use of the West Area Study for future developments.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1303 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Streeter announced that the originally scheduled Committee meeting for Oct. 10 has been cancelled and rescheduled for Oct. 24, 1996, at 5:30 p.m.

### **Finance and Administration Committee**

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, reported on the proposed 1997 City Council meeting schedule. Discussion ensued. A motion was made by Councilmember Hilbert, seconded by Councilmember Cullen, to approve the proposed 1997 meeting schedule. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **Public Health and Safety Committee**

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill Nos. 1291 and 1292 would be read for the second time and considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of her Committee has been scheduled for Oct. 14, 1996, at 7:30 a.m.

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

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Bill Nos. 1300, 1301 and 1304 will be considered for adoption under the Legislation portion of the agenda.

## REPORT OF THE CITY ADMINISTRATOR

Chief Ray Johnson, Acting-City Administrator, reported that the City has an on-going contract with the Chesterfield Community Development Corporation (CCDC) for the services of Mr. Lee McKinney, with regard to a variety of issues concerning recertification of the existing levee, planning/construction of a 500-year levee, etc. The current contract for Mr. McKinney's services expires Oct. 31, 1996. Passage of Resolution #207 would authorize the City Administrator to enter into another six-month agreement with the CCDC for these services, at a monthly cost of \$3500. It was noted that these funds are provided by TIF funds generated within the Chesterfield Valley TIF District. A motion was made by Councilmember Cullen, seconded by Councilmember Hurt, to adopt Resolution #207. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Chief Johnson next reported that bids were recently sought for planting of mixed varieties of evergreens, ornamentals and shade trees along the east and west side of Clarkson Road, between Baxter Road and Wilson Road. Baxter Gardens submitted the low bid of \$17,210. However, it is recommended that the contract be awarded, on a not-to-exceed basis, for the full amount of the grant, \$17,945. It was noted that due to the receipt of this grant from the Missouri Department of Conversation, the City's share will only be \$5,383 which is contained within our FY1996 budget. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to approve the bid of \$17,210 submitted by Baxter Gardens and on a not-to-exceed basis in the amount of \$17,945 to cover the cost of planting material. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Chief Johnson next reported that a rough draft of the next issue of the Chesterfield Citizen newsletter, which has been prepared by City Clerk Marty DeMay with input from each of the Department Heads and Mr. Herring, has been included for Council review. There were no changes or corrections in the rough draft. Distribution to the residents should occur on or before Nov. 1, 1996.

### NEW BUSINESS

There was no new business.

### LEGISLATION

BILL NO. 1291 AMENDS ORDINANCE NO. 137 AS AMENDED BY REPEALING SECTION 28 OF ORDINANCE 534 IN ITS ENTIRETY AND REPLACING THE SAME RELATIVE TO THE LENGTH OF TIME NECESSARY TO FILE AN APPEAL TO DISCIPLINARY ACTION (SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for a second reading of Bill No.1291 . A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1291 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1291 , with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1291 approved, passed it and it became **ORDINANCE NO. 2040**.

**BILL NO. 1292** AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO PROVIDE FOR NO PARKING ON A PORTION OF SCHOETTLER VALLEY DRIVE (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill No. 1292. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1292 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1292 , with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1292 approved, passed it and it became **ORDINANCE NO. 2041**.

**BILL #1300** PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN CHESTERFIELD PLANTATION SUBDIVISION IN THE CITY OF CHESTERFIELD (**FIRST READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill No. 1300. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1300 was read for the first time.

**BILL #1301** AUTHORIZES THE ISSUANCE OF A \$2.6 MILLION ORIGINAL PRINCIPAL AMOUNT TAX INCREMENT FINANCING PROMISSORY NOTE (CHESTERFIELD VALLEY REDEVELOPMENT PROJECT) OF THE CITY OF CHESTERFIELD, MISSOURI, FOR THE PURPOSE OF PAYING A PORTION OF THE REDEVELOPMENT PROJECT COSTS IN CONNECTION WITH THE CHESTERFIELD VALLEY REDEVELOPMENT PLAN; PRESCRIBING THE FORM AND DETAILS OF SAID NOTE AND THE COVENANTS AND AGREEMENTS MADE BY THE CITY TO FACILITATE AN PROTECT THE PAYMENT THERE; AND PRESCRIBING OTHER MATTERS RELATING THERETO (**FIRST AND**

**SECOND READINGS - PUBLIC WORKS/PARKS COMMITTEE  
RECOMMENDS APPROVAL)**

A motion was made by Councilmember Politte, seconded by Councilmember Cullen, for the first reading of Bill No. 1301. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1301 was read for the first time.

**BILL #1304 APPROVES THE INSTALLATION OF FIRE HYDRANTS AT COUNTRY LAKE ESTATES SUBDIVISION AND GREYSTONE SUBDIVISION PHASES 3 & 4 LOCATED WITHIN THE CITY OF CHESTERFIELD (FIRST AND SECOND READINGS - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)**

A motion was made by Councilmember Politte, seconded by Councilmember Cullen, for the first reading of Bill No. 1304. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1304 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for a second reading of Bill No. 1304. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1304 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1304, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1304 approved, passed it and it became **ORDINANCE NO. 2042.**

**LEGISLATION - PLANNING COMMISSION**

**BILL NO. 1303 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C-8" PLANNED COMMERCIAL DISTRICT TO "R-5" 6,000 SQ. FT. RESIDENCE DISTRICT FOR A 3.1 ACRE TRACT OF LAND ON THE NORTH AND SOUTH SIDES OF BAXTER ROAD, NORTH OF THE INTERSECTION OF BAXTER ROAD AND JUSTUS POST ROAD (P.Z. 21-96, HAYDEN HOMES, INC. AND CHESTERFIELD VILLAGE, INC. - PARCEL C118) (PLANNING AND ZONING COMMITTEE AND PLANNING COMMISSION RECOMMEND APPROVAL)**

A motion was made by Councilmember Streeter, seconded by Councilmember Tilley, for the first reading of Bill No. 1303. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1303 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Tilley, for a second reading of Bill No. 1303. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1303 was read for the second time.

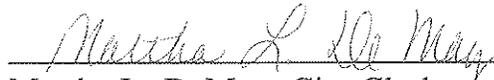
A roll call vote was taken for passage and approval of Bill No. 1303, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1303 approved, passed it and it became **ORDINANCE NO. 2044**.

**ADJOURNMENT**

A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, that the meeting be adjourned to reconvene into Executive Session to discuss RSMo 610.021 (3) personnel matters. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:37 p.m.

  
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Mayor Jack Leonard

**ATTEST:**

  
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Martha L. DeMay, City Clerk