



RECORD OF PROCEEDING

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

October 17, 2005

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

Mayor Nations' children, James, Jack, Katie and Elizabeth, led everyone in the Pledge of Allegiance and Mayor Nations followed with a moment of silent prayer.

Mayor Nations presented a proclamation to Steve Leonard, son of former-Mayor Jack Leonard, who passed away October 3. Mayor Leonard was the City's third Mayor and served the community from 1990 – 1997. He was also very actively involved in the effort to incorporate the City. Also in attendance were former Mayors Fred Steinbach and Charles Fawcett, who spoke about their relationship with former-Mayor Leonard. Councilmember Barry Flachsbart from Ward I shared with everyone his memories and experiences with former-Mayor Leonard, during the process of incorporation of the city.

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 Mary K. Brown

ABSENT

Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the October 5, 2005, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Brown, 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 the next meeting of City Council has been scheduled for November 7.

COMMUNICATIONS AND PETITIONS

Brett Hardesty, 232 Chesterfield Industrial Blvd., supported Bill No. 2389 (P.Z. 2-2005, Briarcliffe Villas/G.H.H. Investments LLC and Bill No.2390 (P.Z. 3-2005, Briarcliffe Villas/G.H.H. Investments LLC).

Lynne Johnson, who resides at 15125 Conway Road, expressed concern that the outdoor lighting on the Delmar Gardens property was an annoyance, due to the fact that lights from this facility shine into her house.

APPOINTMENTS

Mayor Nations stated his intention to nominate Robert Heggie to serve as City Attorney, filling the unexpired term of the current City Attorney, Doug Beach. Mr. Beach has been selected by Governor Matt Blunt to serve as an Associate Circuit Court Judge for St. Louis County. Mr. Heggie has served as Acting City Attorney on numerous occasions during Mr. Beach's absence and has functioned as the Assistant City Attorney at various meetings of City Council or Council Committees. In addition, Mr. Heggie has provided on-going legal services in support of the City's Board of Adjustment. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to adopt Resolution No. 322, which would appoint Mr. Heggie to the City Attorney position. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Heggie's term will expire June 15, 2006.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that two requests for contributions, have been forwarded from F&A to City Council. The Drug Abuse Task Force (Citizens for a Drug Free Chesterfield) is requesting \$2000 and West County Family YMCA's Acoustic Café is requesting \$3000. The F&A Committee recommends approval of these requests, and is asking City Council to approve an additional \$5000, to the budget for "contributions", to fund these two requests. A motion was made by Councilmember Durrell, seconded by Councilmember Brown, to amend the Budget to add \$5,000 to the "contributions" account, in order to

fund both of these requests.. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Durrell next reported that Resolution No. 323 approves the Five-Year Forecast for FY2005 - FY2009. It was noted that the new retail and cinema opening in the Mall should have a positive impact upon utility tax and sales tax revenues in the General Fund. Councilmember Durrell also noted that Staff had amended the “Forecast” to reflect higher gas prices and increased revenues anticipated from consumption of natural gas consumption. A motion was made by Councilmember Durrell made a motion, seconded by Councilmember Geiger, to adopt Resolution No. 323, which approves the Five-Year Forecast for FY2005 – FY 2009. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Durrell next reported that Assistant City Administrator for Economic Development Libbey Simpson has developed recommendations for an “Advisory Council” for economic and community development. The F&A Committee voted to recommend that the name for this organization be “Chesterfield Development Advisory Council”. Councilmember Durrell reported that, if this proposal is approved by City Council, there will be twelve economic sectors within the community that the members of the advisory council should represent. These members will be the Chairpersons and/or CEO’s of businesses in their respective sectors. The F&A Committee recommends that the current members of the Chesterfield Community Development Corporation (CCDC) be invited to join the “Advisory Council”, depending upon their individual background and experiences. Members will be appointed by the Mayor to fill the remaining seats. Initially, half of the members will be appointed for two years and half will be appointed for one year terms, to stagger the terms of office. Thereafter, all appointments will be two-year terms. Councilmember Durrell made a motion, seconded by Councilmember Geiger, to establish the “Chesterfield Development Advisory Council”, as detailed within Ms. Simpson’s memo and discussed above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Durrell announced that the next meeting of this Committee has been scheduled for Thursday, October 27 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2386 (Approves parking restrictions on Leiman Drive) will be considered for adoption under the “Legislation” portion of the agenda.

Planning and Zoning Committee

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that Bill No. 2389 (P.Z. 2-2005, Briarcliffe Villas (GHH Investments, LLC), Bill No. 2390 (P.Z. 3-2005, Briarcliffe Villas (GHH Investments, LLC) and Bill No. 2391 (P.Z. 16-2005, City of Chesterfield – Landmark and Preservation Area Procedure) will be

read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for October 20 at 5:30 p.m.

Public Health and Safety Committee

Mayor Nations announced, on behalf of Councilmember Connie Fults, Chairperson of the Public Health and Safety Committee, that the next meeting of this Committee has been scheduled for October 26 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for work associated with the planting of Phase III of the Timberlake Manor Landscape Plan. Based upon the information/recommendations provided to him, he joined with Superintendent of Parks, Recreation and Arts Darren Dunkle in recommending award of a contract to Baxter Gardens, in an amount not to exceed \$32,345. Mr. Herring noted that this bid result is \$2,345 in excess of the amount allocated within the FY 2005 Budget, for the Parks Division. The additional amount will be covered by savings realized elsewhere within said Budget. He further noted that Director of Public Works/City Engineer Mike Geisel has reviewed and recommends approval of this bid recommendation. Councilmember Brown made a motion, seconded by Councilmember Casey, to award a contract to Baxter Gardens, in an amount not to exceed \$32,345. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2386 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON LEIMAN DRIVE (**SECOND READING – PUBLIC WORKS/PARKS COMMITTEE**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2386. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2386 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2386, with the following results: Ayes – Geiger, Brown, Streeter, Hurt, Casey, Flachsbart and Durrell. Nays - None. Whereupon, Mayor Nations declared Bill No. 2386 approved, passed it and it became **ORDINANCE NO. 2210**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2389 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “R2” RESIDENCE DISTRICT WITH A CONDITIONAL USE PERMIT (CUP) TO AN “R-3” RESIDENCE DISTRICT FOR TWO (2) TRACTS OF LAND TOTALING 29.4 ACRES, LOCATED ON OLIVE BOULEVARD, IN THE PROPERTY FORMERLY KNOWN AS CHESTERFIELD MANOR NURSING HOME (16R340151, 16R340207) (P.Z. 2-2005, BRIARCLIFFE VILLAS/G.H.H. INVESTMENTS, L.L.C.) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2389. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2389 was read for the first time.

BILL NO. 2390 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A PLANNED ENVIRONMENT UNIT PROCEDURE WITHIN AN “R-3” RESIDENCE DISTRICT FOR TWO (2) TRACTS OF LAND, TOTALING 29.4 ACRES, LOCATED ON OLIVE BOULEVARD, IN THE PROPERTY FORMERLY KNOWN AS CHESTERFIELD MANOR NURSING HOME (16R340151, 16R340207) (P.Z. 3-2005, BRIARCLIFFE VILLAS/G.H.H. INVESTMENTS L.L.C.) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL BUT ONLY IF AMENDED AS DETAILED IN THE ATTACHED “GREEN SHEET” AMENDMENT)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2390. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed. Bill No. 2390 was read for the first time. Councilmember Casey made a motion, seconded by Councilmember Geiger, to adopt the language in the “green sheet” Page 5, “Architectural” and Page 7, “Power of Review”, to amend “Attachment A”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Durrell made a motion, seconded by Councilmember Flachsbar, to further amend the “green sheet”, at the end of Item 2, by adding “from the street and Lots 1 and 44 are to have combination brick and some architectural element on the Lots facing Olive Boulevard to provide a more visually appealing appearance.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The “Attachment A” for Bill No. 2390 was further amended.

BILL NO. 2391 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.191 TO ESTABLISH INCENTIVES AND TO ALLOW FOR NEW CRITERIA FOR LANDMARK AND PRESERVATION AREA (P.Z. 16-2005, CITY OF CHESTERFIELD/LANDMARK AND PRESERVATION AREA PROCEDURE) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2391. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2391 was read for the first time.

ADJOURNMENT

Mayor Nations adjourned the meeting at 8 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk