



RECORD OF PROCEEDING

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

October 21, 2013

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

Mayor Bob Nation 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 Bob Nation
Councilmember Barry Flachsbart
Councilmember Nancy Greenwood
Councilmember Derek Grier
Councilmember G. Elliot Grissom
Councilmember Mike Casey
Councilmember Dan Hurt
Councilmember Bruce DeGroot
Councilmember Connie Fults

APPROVAL OF MINUTES

The minutes of the October 7, 2013 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Grier, 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 Nation announced that the next meeting of City Council has been scheduled for Monday, November 4, at 7 p.m.

COMMUNICATIONS AND PETITIONS

Mayor Nation presented a proclamation to Vickie Campbell, Director of the Butterfly House, in recognition of the fact that the Butterfly House is the only free-standing insectarium to have been accredited by the Association of Zoos and Aquariums.

Jeannie Aumiller, McBride and Son Homes, 16091 Swingley Ridge, spoke in support of Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill). She stated that McBride had met with the subdivision trustees and they have been unable to reach an agreement.

Dan Hogan, who resides at 1540 Pacland Place, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

John Gazzoli, who is a Trustee of Pacland Place Subdivision and resides at 16916 Pacland Ridge Drive, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

Terry Brennan, who resides at 16639 Caulks Creek Ridge, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

Doris Frazier, who resides at 17077 Church Road, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

Dan Koziatek, CEC, Inc., stated he was available to answer questions related to Bluestone Commons.

Bob Clausen, who resides at 16901 Pacland Ridge Drive, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

Mike Collins, who resides at 16635 Caulks Creek Ridge, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

Don Turner, who resides at 1427 Carriage Crossing Lane, spoke in opposition to Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) and Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill).

APPOINTMENTS

Mayor Nation nominated Brian Voyles, General Manager for the St. Louis Premium Outlets, and Emily Zimmermann, Director of Marketing/Business Development for the St. Louis Premium Outlets, to serve as members of the CID Board of Directors. Both individuals meet all of the criteria established for membership. Councilmember Flachsbart made a motion, seconded by Councilmember Grissom, to appoint Brian Voyles and Emily Zimmermann to the CID Board of Directors. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Public Health & Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, reported that Bill No. 2950 (Amends City Ordinances Regarding the Feeding of Wildlife) will be read for the first time under the “Legislation” portion of the agenda.

Finance and Administration Committee

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Greenwood, to approve Resolution No. 403 (Approves/adopts updated Title VI policy). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey announced that the next meeting of this Committee, scheduled for Monday, October 28, at 5:30 p.m., has been canceled.

Planning/Public Works Committee

[Councilmember Hurt stepped out of the meeting, at this time.]

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2946 (P.Z. 01-2013, Arbors at Kehrs Mill) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 2947 (P.Z. 02-2013, Arbors at Kehrs Mill) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 2948 (Authorizes City Administrator to Sign an Agreement re: Schoettler Road Bridge Replacement) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Fults made a motion, seconded by Councilmember DeGroot, to approve Third Amended Site Development Section Plan, Amended Lighting Plan, and Amended Architectural Elevations for Bluestone Commons, Lot 3-4. A voice vote was taken with an affirmative result (Councilmembers Flachsbart and Greenwood voted “No”) [Councilmember Hurt was temporarily absent from voting] and the motion was declared passed.

Councilmember Fults reported that Bill No. 2951 (Authorizes City Administrator to Execute Agreement re: Chesterfield Parkway West Bridge Maintenance) will be read for the first time under the “Legislation” portion of the agenda.

[Councilmember Hurt returned to the meeting, at this time.]

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to amend the Private Street Snow Removal Reimbursement Program. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults announced that the next meeting of this Committee, scheduled for Thursday, October 24, at 5:30 p.m., has been canceled.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring indicated that he had no report this evening.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 2948 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE AN ON-SYSTEM BRIDGE PROGRAM AGREEMENT WITH MODOT (SCHOETTLER ROAD BRIDGE REPLACEMENT) (SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2948. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2948 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2948 with the following results: Ayes – Fults, Greenwood, Hurt, Flachsbart, DeGroot, Grier, Casey and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 2948 approved, passed it and it became **ORDINANCE NO. 2765**.

BILL NO. 2950 AMENDS CITY ORDINANCE CHAPTER 5, ANIMALS & FOWL, ARTICLE 1, SECTION 5-2, FEEDING OF WILDLIFE

**(FIRST READING; PUBLIC HEALTH AND SAFETY
COMMITTEE RECOMMEND APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Greenwood, for the first reading of Bill No. 2950. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2950 was read for the first time.

BILL NO. 2951 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD, MISSOURI, TO EXECUTE A MAINTENANCE AGREEMENT PROVIDING FOR THE MAINTENANCE OF AESTHETIC ENHANCEMENTS IN CONJUNCTION WITH THE CONSTRUCTION OF A NEW CHESTERFIELD PARKWAY WEST BRIDGE OVER INTERSTATE 64 (FIRST READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2951. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2951 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2946 REPEALS THE ZONING ORDINANCE 2322 OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “E-2” ESTATE DISTRICT (TWO ACRE) AND “LLR” LARGE LOT RESIDENTIAL DISTRICT TO AN “E-1” ESTATE DISTRICT (ONE ACRE) FOR A 41.082 ACRE TRACT OF LAND LOCATED NORTH OF THE INTERSECTION OF CHURCH RD. AND STRECKER RD. (P.Z. 01-2013 ARBORS AT KEHRS MILL {17015 CHURCH RD.} 19U420248). (SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2946. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2946 was read for the second time. Discussion ensued with Councilmembers explaining their reasons for voting either FOR or AGAINST the proposed Bill. Councilmember Grier stated for the record that when comparing the existing zoning with what is being proposed, the proposed zoning is superior in terms of preserving the existing character in those neighborhoods. He went on to say that the buffer zones, preserving the tree lines and all the different things that are part of this proposal, make it better for the surrounding communities than the current zoning. A roll call vote was taken for the passage and approval of Bill No. 2946 with the following results: Ayes – Grissom, Flachsbart, Grier, Greenwood and Fults. Nays – Casey, Hurt and DeGroot. Mayor Nation declared Bill No. 2946 failed. [Due to protest petitions filed by the adjacent property owners, approval of this legislation required six affirmative votes.]

BILL NO. 2947 REPEALS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “E-1” ESTATE DISTRICT (ONE ACRE) TO A “PUD” PLANNED UNIT DEVELOPMENT FOR A 58.149 ACRE TRACT OF LAND LOCATED NORTH OF THE INTERSECTION OF CHURCH RD. AND STRECKER RD. (P.Z. 02-2013 ARBORS AT KEHRS MILL {17015 CHURCH RD.} 19U420248). **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2947. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2947 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2947 with the following results: Ayes – Flachsbart. Nays – DeGroot, Casey, Hurt, Grier, Fults, Grissom and Greenwood. Mayor Nation declared Bill No. 2947 failed.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 8:10 p.m.

Mayor Bob Nation

ATTEST:

Vickie J. Hass, City Clerk