



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
NOVEMBER 16, 1998

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Allan Sheppard
Councilmember Barry Streeter
Councilmember Larry Grosser
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley
Councilmember Mary K. Brown

ABSENT

None

The Pledge of Allegiance was led by Girl Scout Troop #340 from Greentrails School: Julia Doerner, Jamie Brady, Lauryn Frances, Jenny Cahill, Lauren Marks, Samantha Dauphinais, Caroline Fernandez and Emily Doerner. Also in attendance was Troop Leader Diana Doerner.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the November 2, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Sheppard, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nancy Greenwood informed those in attendance of the City Council meeting schedule for 1999.

Mayor Greenwood next presented a Missouri Treescape Award to Mr. Bill Kolath, Chairperson of the Beautification Committee. The City was presented this award by the Missouri Department of Conservation in recognition of the City's plantings at various locations along I-64/Highway 40, Chesterfield Parkway and other major arterials.

COMMUNICATIONS AND PETITIONS

Jade Gardner Bute, who resides at 15593 Bedford Forge, commended Mr. Bill Kolath, Chairperson of the Beautification Committee, the City of Chesterfield Public Works/Parks Department and Councilmember Mary Brown for their efforts in all the City's beautification projects.

Lee Wall, who resides at 14759 Plumas, expressed opposition to Bill No. 1621, P. Z. 29-98, City of Chesterfield Zoning Ordinance Amendment.

Laura Lueking, who resides at 15021 Conway Road, expressed opposition to Bill No. 1621, P. Z. 29-98, City of Chesterfield Zoning Ordinance Amendment.

John T. McDonald, who resides at 1332 Amherst Terrace Way, expressed opposition to Bill No. 1621, P. Z. 29-98, City of Chesterfield Zoning Ordinance Amendment

APPOINTMENTS

Mayor Greenwood nominated Mr. David Layton, 2009 Cedarmill Drive, Ward III, and Mr. Kevin Tully, 15189 Denwoods Drive, Ward III, as members of the Chesterfield Transportation Committee. A motion was made by Councilmember Casey, seconded by Councilmember Hurt, to appoint Mr. Layton and Mr. Tully to the Chesterfield Transportation Committee. A voice vote was taken with an affirmative results (Councilmember Sheppard voted "No") and the motion was declared passed. These appointments will be for three-year terms, expiring Nov. 16, 2001.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, announced that the next meeting of this Committee has been scheduled for Nov. 30 at 5:30 p.m. Councilmembers Hurt and Casey requested that City Administrator Herring send copies of this proposed ordinance to the Trustees of the Claymont Woods Subdivision.

Public Health and Safety Committee

Councilmember Larry Grosser, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1625, regarding a 4-way stop intersection at Isleview at Denwoods will be read for the first time under the Legislation portion of the agenda.

Councilmember Grosser announced that the next meeting of this Committee has been scheduled for Dec. 10 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that the following bills will be have a first and second reading under the Legislation portion of the agenda: Bill No. 1619 (P.Z. 31-98, Strutman and Busch), Bill No. 1620 (P.Z. 31A-98, Strutman and Busch), Bill No. 1622 (P. Z. 26-98, St. Mary's Institute of O'Fallon, Inc. (Linda Vista School), Bill No. 1623 – Record plat/resubdivision – Estates of Baxter Pointe and Bill No. 1624 (Record plat – Oak Creek Meadows). Discussion ensued with regard to Bill No. 1621 (P.Z. 29-98, City of Chesterfield Zoning Ordinance amendment). A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, to table Bill No. 1621 and forward it to Staff for review of the mixed use category. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The City has received a petition to receive and file P. Z. 26-98, St. Mary's Institute of O'Fallon (Linda Vista). This will be voted on after adoption of Bill No. 1622, regarding an amendment in the zoning ordinance.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for Nov. 19 (5:30 p.m.)

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently evaluated regarding the installation of a stormsewer to provide positive drainage for Lots 1 and 2, in Wild Horse Springs Subdivision, replacement of an undersized stormsewer on Pine Orchard Court and replacement of an undersized curb inlet on Appalachian Trail. Having reviewed the information provided by Director of Public Works/City Engineer Mike Geisel, Mr. Herring joined with him in recommending approval of the bid submitted by Schuster Engineering. He asked that he be authorized to enter into a contract with said firm, in an amount not to exceed \$43,990. Adequate funds remain within the FY1998 Budget for this purpose. Additionally, the City will be working to attach escrow to reimburse itself for the work completed within Wild Horse Springs. A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, to approve the bid submitted by Schuster Engineering and to authorize Mr. Herring to enter into a contract with said firm, in an amount not to exceed \$43,990. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Brown stated that she would like to formally exercise the “Power of Review” for the Site Development Plan for Chesterfield Commons. She recommended that the plan be forwarded to the Planning and Zoning Committee, after the Planning Commission has completed its review for a recommendation before Council action. Councilmember Tilley also supported taking this action. After additional discussion, it was consensus of Council that they exercise their “Power of Review” regarding this proposal.

LEGISLATION

BILL NO. 1625 AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A FOUR WAY STOP SIGN AT THE INTERSECTION OF ISLEVIEW DRIVE AND DENWOODS DRIVE THERETO (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE)

A motion was made by Councilmember Grosser, seconded by Councilmember Tilley, for the first reading of Bill No. 1625. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1625 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1619 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “NU” NON-URBAN DISTRICT FOR A .39 ACRE (16,815 S.F.) TRACT OF LAND LOCATED ON THE SOUTHEAST CORNER OF CHESTERFIELD AIRPORT ROAD AND BAXTER ROAD (P.Z. 31-98, STRUTMAN-BUSCH ARCHITECTS) (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1619. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1619 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Grosser, for a second reading of Bill No. 1619. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1619 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1619, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1619 approved, passed it and it became **ORDINANCE NO. 1470.**

BILL NO. 1620 ESTABLISHES A LANDMARK AND PRESERVATION AREA (LPA) SPECIAL PROCEDURE IN THE “PC” PLANNED

COMMERCIAL DISTRICT FOR A .39 ACRE (16,815 S.F.) TRACT OF LAND LOCATED ON THE SOUTHEAST CORNER OF CHESTERFIELD AIRPORT ROAD AND BAXTER ROAD (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1620. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1620 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1620. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1620 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1620, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1620 approved, passed it and it became **ORDINANCE NO. 1471.**

BILL NO. 1622 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE “NU” NON-URBAN DISTRICT TO “LLR” LARGE LOT RESIDENCE DISTRICT FOR A 68.59 ACRE TRACT OF LAND LOCATED ON KEHRS MILL ROAD (P.Z. 26-98, ST. MARY’S INSTITUTE OF O’FALLON, INC. (LINDA VISTA SCHOOL) (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1622. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1622 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1622. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1622 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1622, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1622 approved, passed it and it became **ORDINANCE NO. 1472.**

A motion was then made by Councilmember Hurt, seconded by Councilmember Flachsbart, to receive and file P. Z. 27-98, St. Mary’s Institute of O’Fallon, Inc. (Linda Vista School). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 1623 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, AND AMENDED TRUST INDENTURES FOR THE RESUBDIVISION OF LOTS 62, 63 AND 64 OF THE ESTATES AT BAXTER POINTE AND PART OF FRACTIONAL SECTION 9 (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1623. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1623 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Grosser, for a second reading of Bill No. 1623. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1623 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1623, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1623 approved, passed it and it became **ORDINANCE NO. 1473.**

BILL NO. 1624 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR OAK CREEK MEADOWS ADDITION, THE ADDITION OF LOT 9 TO THE EXISTING OAK CREEK MEADOWS SUBDIVISION LOCATED ON THE SOUTH SIDE OF OLIVE STREET ROAD, WEST OF WESTERN MILL DRIVE (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1624. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1624 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1624. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1624 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1624, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1624 approved, passed it and it became **ORDINANCE NO. 1474.**

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Streeter, seconded by Councilmember Casey, that the meeting be adjourned to go into Executive Session (closed meeting) to discuss legal matters, property acquisition and personnel matters RSMO 610.021 (1) (2) (3). A roll call vote was taken with the

following results: Ayes – Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, Tilley, Brown. Nays – None. The meeting was adjourned at 7:50 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk