



## RECORD OF PROCEEDING

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

**NOVEMBER 21, 2011**

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

Mayor Bruce Geiger 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

Mayor Bruce Geiger  
Councilmember Matt Segal  
Councilmember Derek Grier  
Councilmember G. Elliot Grissom  
Councilmember Mike Casey  
Councilmember Randy Logan  
Councilmember Bob Nation  
Councilmember Connie Fults

#### ABSENT

Councilmember Barry Flachsbart

#### APPROVAL OF MINUTES

The minutes of the November 7, 2011 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Logan, 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 Geiger announced that City Hall will be closed November 24<sup>th</sup> and 25<sup>th</sup> in observance of Thanksgiving.

Mayor Geiger announced that the next meeting of City Council has been scheduled for Monday, December 5, at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Mr. Mike Doster, attorney for the petitioner, Bill No. 2863 [P.Z. 07-2011 Chesterfield Outlets (T-O Ventures, LLC)], said he worked with City Staff to determine hours of operation for the development. Mr. Doster said it does not make any difference if the “Permitted Uses” on the “Yellow Sheet” amendment are deleted or remain. After much discussion regarding the hours of operation for retail sales for “special events”, Mr. Doster withdrew the request for no limitation on hours of operation for retail sales for three (3) to ten (10) days in any calendar year. Mr. Doster asked Council to approve the request for the hours of operation for retail sales to be limited to 6:00 a.m. to midnight. Mr. Doster said it is important to their model that they have some days with unrestricted hours, either with the permission of the Planning Department or with some other provision. He requested that they be allowed to provide input into the process on any legislation that will be considered.

## **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

### **Public Health & Safety Committee**

In the absence of Councilmember Barry Flachsbart, Chairperson of the Public Health & Safety Committee, Mayor Geiger announced that the next meeting of this Committee has been scheduled for Monday, December 5, at 5:00 p.m.

### **Planning/Public Works Committee**

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2863 [P.Z. 07-2011 Chesterfield Outlets (T-O Ventures, LLC)] will be considered for SECOND READING approval and adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next reported that Bill No. 2864 (Approves an Amendment to Ord. 35, adopting a new Schedule XVI, “Emergency Snow Routes”) will be considered for SECOND READING approval and adoption under the “Legislation” portion of the Agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, December 8, at 5:30 p.m.

### **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that Bandana's, 17164 Chesterfield Airport Road, has requested a new liquor license, to sell beer and wine by the drink and Sunday sales. Mr. Herring reported that this application has been reviewed and recommended for approval by the Departments of Police and Planning/Public Works. Councilmember Logan made a motion, seconded by Councilmember Grier, to approve issuance of a new liquor license to Bandana's. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Golden China Restaurant, 414 THF Boulevard, has requested a new liquor license, to sell beer by the drink and Sunday sales. Mr. Herring reported that this application has been reviewed and recommended for approval by the Departments of Police and Planning/Public Works. Councilmember Casey made a motion, seconded by Councilmember Grier, to approve issuance of a new liquor license to Golden China Restaurant. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **NEW BUSINESS**

There was no new business.

### **LEGISLATION**

**BILL NO. 2864** AMENDS ORDINANCE NUMBER 35 OF THE ORDINANCES OF THE CITY OF CHESTERFIELD, BY REPEALING SCHEDULE XVI PRIORITY SNOW ROUTES AND ALL PREVIOUS AMENDMENTS AND ADOPTING SCHEDULE XVI EMERGENCY SNOW ROUTES AS ATTACHED HERETO **(SECOND READING – PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2864. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2864 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2864 with the following results: Ayes – Nation, Grier, Fults, Segal, Casey, Grissom and Logan. Nays – none. Whereupon Mayor Geiger declared Bill No. 2864 approved, passed it and it became **ORDINANCE NO. 2681**.

## LEGISLATION – PLANNING COMMISSION

**BILL NO. 2863** AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON-URBAN DISTRICT WITH AN “FP” FLOOD PLAIN OVERLAY TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A 48.625 ACRE AREA OF LAND LOCATED NORTH OF NORTH OUTER 40 ROAD AND EAST OF BOONE’S CROSSING (17T420016, 17T430048, AND 17U640103) {P.Z. 07-2011 CHESTERFIELD OUTLETS, T-O VENTURES, LLC}  
**(SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)  
[YELLOW SHEET AMENDMENT]**

Councilmember Fults made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2863. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2863 was read for the second time.

Councilmember Fults next made a motion, seconded by Councilmember Casey, to amend Bill No. 2863, pursuant to the attached “Yellow Sheet”, to delete the following “Permitted Uses”: bowling center, hospital, office and dental, professional and technical service facility, and tackle and bait shop. Discussion ensued. A roll call vote was taken for the approval of this motion with the following results: Ayes – None. Nays - Grissom, Nation, Casey, Logan, Segal, Grier and Fults. Whereupon Mayor Geiger declared the motion failed. The uses will remain as “permitted uses”.

Councilmember Fults next made a motion, seconded by Councilmember Casey, to amend Bill No. 2863, pursuant to the attached “Yellow Sheet”, to approve the following modified language: “Hours of operation for retail sales will be limited to 6:00 a.m. to midnight.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults next made a motion, seconded by Councilmember Casey, to amend Bill No. 2863, pursuant to the “White Sheet” amendment, to establish “Power of Review” as follows: “The City Council shall review and provide final approval of the site development plan for the proposed development, subsequent to the Planning Commission review.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A roll call vote was taken for the passage and approval of Bill No. 2863, as amended, with the following results: Ayes – Logan, Segal, Fults, Casey, Nation, Grissom and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2863, as amended, approved, passed it and it became **ORDINANCE NO. 2682**.

**ADJOURNMENT**

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:30 p.m.

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Mayor Bruce Geiger

**ATTEST:**

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Judith A. Naggiar, City Clerk