



RECORD OF PROCEEDING

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

DECEMBER 3, 2007

Mayor John Nations called the meeting to order at 7 p.m.

Mayor Nations introduced the members of "Access the Arts/Team STAGES" who performed both the "Star Spangled Banner" and "God Bless America." Den 8, Pack 137, from Linda Vista School, led everyone in the "Pledge of Allegiance." Mayor Nations thanked the members of "Access the Arts/Team STAGES" and the members of Den 8, Pack 137 (Will Burke, Jackson Dufault, Grant Miller, Chris Walsh, Dan Walsh, Michael Godfrey and Troop Leaders Patrick Burke and Krista Dufault) for their participation in the opening ceremony. Mayor Nations then presented each group with a proclamation, commemorating their participation.

A roll call was taken with the following results:

PRESENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Bruce Geiger
Councilmember Lee Erickson
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Bob Nation
Councilmember Connie Fults

ABSENT

None

APPROVAL OF MINUTES

The minutes of the November 19, 2007 City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve the City Council minutes. A voice vote was taken with an affirmative result (Councilmember Flachsbart “Abstained”) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations expressed his enthusiasm about the partnership the City is entering into with STAGES - St. Louis and looks forward to future performances. Mayor Nations extended his appreciation and congratulations to City Administrator Herring and the Parks Department on the success of the Turkey Trot. Mayor Nations next commended Mr. Herring, Ms. Lori Helle, Director of Finance and Administration, and the Finance and Administration Staff for their work on the proposed FY2008 Budget. Mayor Nations also congratulated the Finance and Administration Department on receiving the “Certificate of Achievement for Excellence in Financial Reporting” Award from the Government Finance Officers Association (GFOA).

Mayor Nations announced that the qualifying period for the April 8, 2008 Municipal Election begins at 8:00 a.m. on Tuesday, December 18.

Mayor Nations announced that the next meeting of City Council has been scheduled for Monday, January 7, 2008, at 7 p.m.

Mayor Nations announced that the community is invited to attend the First Annual Dr. Martin Luther King Unity Celebration which will be held at First Baptist Church of Chesterfield at 5 p.m. on Sunday, January 20, 2008.

COMMUNICATIONS AND PETITIONS

Mike Doster, attorney for the petitioner, stated he was available to answer questions on Bill No. 2586 (P.Z. 32-2007, MPD Investments, LLC), Bill No. 2589 (P.Z. 29-2007, Elbridge Payne Office Park, 1281 Chesterfield Parkway East), and Bill No. 2590 (P.Z. 42-2007 – Spirit Valley Business Park II, 18730 Olive Street Road).

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Bruce Geiger, Chairperson of the Finance and Administration Committee, reported that Bill No. 2593 (Authorizes pre-payment of Levee District Notes and execution of Escrow Agreement) and Bill No. 2594 (Authorizes dissolving of the Chesterfield Valley Tax Increment Financing District) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Geiger made a motion, seconded by Councilmember Casey, to approve

Resolution No. 345 (Approves the FY2008 Budget). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Geiger made a motion, seconded by Councilmember Erickson, to approve Resolution No. 346 (Approves a contract with STAGES - St. Louis for services to Chesterfield residents). A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Nation expressed appreciation, on behalf of himself and the members of City Council, for the work done by Councilmember Geiger and the Finance and Administration Committee on the proposed FY2008 Budget.

Planning and Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning and Public Works Committee, reported that that Bill No. 2587 (Authorizes the City Administrator to execute a Surface Transportation Program Agreement with the Missouri Highways and Transportation Commission re: the reconstruction of Stablestone Dr./Green Trails Dr. North), Bill No. 2588 (Pertains to the acceptance of Public Streets within Tara Estates Subdivision), Bill No. 2561 (P.Z. 18-2007, Stoneridge Office Building), Bill No. 2586 (P.Z. 32-2007, MPD Investments, LLC), Bill No. 2589 (P.Z. 29-2007, Elbridge Payne Office Park, 1281 Chesterfield Parkway East), Bill No. 2950 (P.Z. 42-2007 – Spirit Valley Business Park II, 18730 Olive Street Road), and Bill No. 2591 (Landmarks Preservation Committee) will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next reported that Bill No. 2595 (Approves a record plat for the Manors at Schoettler Valley) is scheduled for a first reading and that Bill No. 2596 (Approves Record Plat for Cambridge Engineering, Kramer Commerce Center) and Bill No. 2597 (Approves the Placement of Fire Hydrants on Chesterfield Airport Road) are scheduled for both first and second reading approval, under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults announced that the next meeting of this Committee has been scheduled for Thursday, December 6, at 5:30 p.m.

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that Staff is recommending award of a contract to Kuhlmann Design Group on the "Old Baxter Road" improvement project (Ward 2), to modify/amend the plans previously prepared for this project. Based upon a review of the information provided to him by Brian McGownd, Public Works Director/City Engineer, Mr. Herring joined with him in recommending approval of the contract modification with Kuhlmann Design Group, for a total additional cost of \$29,900, to complete this engineering work. Councilmember Flachsbart made a motion, seconded by Councilmember Geiger, to award a contract to Kuhlmann Design Group in an amount not

to exceed \$29,900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 2587 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A SURFACE TRANSPORTATION PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION REGARDING THE RECONSTRUCTION OF STABLESTONE DR./GREEN TRAILS DRIVE NORTH (SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2587. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2587 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2587 with the following results: Ayes: - Casey, Nation, Flachsbart, Geiger, Fults, Durrell, Erickson and Hurt. Nays – None. Whereupon Mayor Nations declared Bill No. 2587 approved, passed it and it became **ORDINANCE NO. 2405**.

BILL NO. 2588 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN TARA ESTATES SUBDIVISION IN THE CITY OF CHESTERFIELD (SECOND READING; PLANNING AND PUBLIC WORKS COMMITTEE)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2588. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2588 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2588 with the following results: Ayes: - Flachsbart, Hurt, Geiger, Erickson, Fults, Casey, Nation and Durrell. Nays – None. Whereupon Mayor Nations declared Bill No. 2588 approved, passed it and it became **ORDINANCE NO. 2406**.

BILL NO. 2593 AUTHORIZES THE PRE-PAYMENT OF THE OUTSTANDING PRINCIPAL OF THE \$13,464,651 MONARCH-CHESTERFIELD LEVEE DISTRICT IMPROVEMENT NOTE, SERIES 2002; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT BY AND BETWEEN THE CITY, THE MONARCH-CHESTERFIELD LEVEE DISTRICT AND WELLS FARGO BANK, AS ESCROW AGENT; AUTHORIZES THE MAYOR TO EXECUTE AND DELIVER SAME; AUTHORIZES WELLS FARGO BANK TO TRANSFER FUNDS FOR THE AFOREMENTIONED ESCROW DEPOSIT; AND AUTHORIZES CERTAIN FURTHER ACTIONS. (SECOND

**READING; FINANCE & ADMINISTRATION COMMITTEE
RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2593. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2593 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2593 with the following results: Ayes: - Hurt, Erickson, Casey, Durrell, Flachsbart, Fults, Geiger and Nation. Nays – None. Whereupon Mayor Nations declared Bill No. 2593 approved, passed it and it became **ORDINANCE NO. 2407.**

BILL NO. 2594 AN ORDINANCE DISSOLVING THE CHESTERFIELD VALLEY AREA TAX INCREMENT FINANCING DISTRICT, THE SPECIAL ALLOCATION FUND AND THE TAX INCREMENT ALLOCATION FINANCING ASSOCIATED THEREWITH; ALLOCATING AND AUTHORIZING THE TRANSFER OF MONEYS IN SAID SPECIAL ALLOCATION FUND TO THE ST. LOUIS COUNTY COLLECTOR FOR DISTRIBUTION IN ACCORDANCE WITH THE TIF ACT; AND AUTHORIZING CERTAIN FURTHER ACTIONS. **(SECOND READING; FINANCE & ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Geiger made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 2594. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2594 was read for the second time. Councilmember Erickson complimented those who “came before him” for their work on the TIF and Mayor Nations stated he agreed with Councilmember Erickson’s compliments. A roll call vote was taken for the passage and approval of Bill. No. 2594 with the following results: Ayes: - Flachsbart, Erickson, Fults, Durrell, Casey, Hurt, Nation and Geiger. Nays – None. Whereupon Mayor Nations declared Bill No. 2594 approved, passed it and it became **ORDINANCE NO. 2408.**

Mayor Nations recognized City Administrator Herring who reported that a Press Release has been issued, commemorating the TIF closure and he asked members of the Press, in attendance, to call him with any questions they might have. Secondly, Mr. Herring noted that it was the intention of the Mayor and City Councilmembers to recognize various individuals/groups who had been instrumental in the success of the Valley TIF District. This is scheduled to occur during the January 23, 2008 City Council meeting. Councilmember Geiger suggested that the Councilmembers forward to Mr. Herring a list of names of the individuals to be recognized for their work on the TIF. Councilmember Hurt suggested that the Valley Master Plan group should be included in this recognition.

BILL NO. 2597 APPROVES THE INSTALLATION OF FIRE HYDRANTS ON CHESTERFIELD AIRPORT ROAD LOCATED WITHIN THE CITY OF CHESTERFIELD

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2597. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2597 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2597. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2597 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2597 with the following results: Ayes: - Hurt, Erickson, Fults, Durrell, Casey, Flachsbart, Geiger and Nation. Nays – None. Whereupon Mayor Nations declared Bill No. 2597 approved, passed it and it became **ORDINANCE NO. 2409.**

LEGISLATION - PLANNING COMMISSION

BILL NO. 2561 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 2145 TO ALLOW FOR AN AMENDMENT TO THE PARKING REQUIREMENTS FOR A 9.3 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT, LOCATED ON THE SOUTH SIDE OF SOUTH OUTER 40 ROAD, NORTHEAST OF YARMOUTH POINT DRIVE AND CANDISH LANE (P.Z. 18-2007, STONERIDGE OFFICE BUILDING) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED "GREEN SHEET"**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2561. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2561 was read for the second time. Councilmember Fults made a motion, seconded by Councilmember Casey, to amend Bill No. 2561 to accept the amendments on the “Green Sheet.” 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. 2561, as amended, with the following results: Ayes: - Erickson, Flachsbart, Geiger, Fults, Casey, Nation, Hurt and Durrell. Nays – None. Whereupon Mayor Nations declared Bill No. 2561, as amended, approved, passed it and it became **ORDINANCE NO. 2410.**

BILL NO. 2586 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "C-8" PLANNED COMMERCIAL DISTRICT TO A "PI" PLANNED INDUSTRIAL DISTRICT FOR AN 8.3 ACRE TRACT OF LAND LOCATED NORTH OF NORTH OUTER 40 AND WEST OF BOONE'S CROSSING, AT 17U520148 AND 17U520159 (P.Z. 32-2007, MPD INVESTMENTS, LLC.) (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL;**

**PLANNING AND PUBLIC WORKS COMMITTEE
RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2586. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2586 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2586 with the following results: Ayes: - Geiger, Hurt, Flachsbart, Nation, Durrell, Casey, Fults and Erickson. Nays – None. Whereupon Mayor Nations declared Bill No. 2586 approved, passed it and it became **ORDINANCE NO. 2411.**

BILL NO. 2589 REPEALS ST. LOUIS COUNTY ORDINANCE NUMBER 8,800 TO ALLOW FOR AN AMENDMENT TO THE INTERNAL PARKING SETBACK, FOR A 14 ACRE TRACT OF LAND ZONED “C-8” PLANNED COMMERCIAL DISTRICT LOCATED AT THE INTERSECTION OF CHESTERFIELD PARKWAY EAST AND ELBRIDGE PAYNE RD. (1281 CHESTERFIELD PARKWAY EAST) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2589. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2589 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2589 with the following results: Ayes: - Hurt, Casey, Fults, Geiger, Nation, Flachsbart, Durrell and Erickson. Nays – None. Whereupon Mayor Nations declared Bill No. 2589 approved, passed it and it became **ORDINANCE NO. 2412.**

BILL NO. 2590 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “NU” NON URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR A 27.4-ACRE TRACT OF LAND LOCATED SOUTH OF OLIVE STREET ROAD AND WEST OF WARDENBURG [P.Z. 42-2007 SPIRIT VALLEY BUSINESS PARK II (18730 OLIVE STREET ROAD)] **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2590. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2590 was read for the second time. Councilmember Fults made a motion, seconded by Councilmember Casey, to amend Section A., Permitted Uses, Section 8, to add “nn. Warehousing, storage, or wholesaling of manufactured commodities.” 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. 2590, as amended, with the following results: Ayes: - Casey, Durrell, Erickson, Hurt, Geiger, Nation and Fults. Nays – Flachsbart. Whereupon Mayor Nations declared Bill No. 2590, as amended, approved, passed it and it became **ORDINANCE NO. 2413.**

BILL NO. 2591 REPEALS CITY OF CHESTERFIELD ORDINANCE 1719 AND REPLACES IT WITH A NEW ORDINANCE WITH LANGUAGE RELATIVE TO THE MEMBERSHIP OF THE LANDMARKS PRESERVATION COMMITTEE AND REFERENCES TO CITY OF CHESTERFIELD PERSONNEL AND DEPARTMENTS **(SECOND READING – PLANNING AND PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2591. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2591 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2591 with the following results: Ayes: - Nation, Flachsbart, Fults, Erickson, Durrell, Geiger, Casey and Hurt. Nays – None. Whereupon Mayor Nations declared Bill No. 2591 approved, passed it and it became **ORDINANCE NO. 2414.**

BILL NO. 2595 PROVIDES FOR THE APPROVAL OF A RECORD PLAT AND ESCROW AGREEMENT FOR THE MANORS AT SCHOETTLER VALLEY, FOR AN 8.85 ACRE TRACT OF LAND ZONED "R-2" P.E.U. RESIDENCE DISTRICT, LOCATED APPROXIMATELY 600 FT. NE OF THE INTERSECTION OF SQUIRES WAY DR. AND SCHOETTLER VALLEY DR. **(FIRST AND SECOND READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2595. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2595 was read for the first time.

BILL NO. 2596 PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR KRAMER COMMERCE CENTER FOR AN APPROXIMATELY 19.8 ACRE TRACT OF LAND ZONED "PI" PLANNED INDUSTRIAL DISTRICT, LOCATED NORTH OF THE INTERSECTION OF SPIRIT DRIVE NORTH AND CHESTERFIELD AIRPORT ROAD, SOUTH OF I-64/U.S. 40-61, AND WEST OF TRADE CENTER BOULEVARD **(FIRST AND SECOND READINGS; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2596. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2596 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2596. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2596 was read for the second time. A roll call vote was taken for the passage and approval of Bill. No. 2596 with the following results: Ayes: - Casey, Durrell, Fults, Hurt, Erickson, Nation, Geiger and Flachsbart. Nays – None. Whereupon Mayor Nations declared Bill No. 2596 approved, passed it and it became **ORDINANCE NO. 2415**.

Mayor Nations wished everyone in attendance a very happy and safe holiday season. Mayor Nations next stated that 2007 was a very good year at the City of Chesterfield in every aspect of the City’s operation and that he is very proud of all that has been accomplished. Mayor Nations commended the two newest Councilmembers, Lee Erickson from Ward II and Bob Nation, from Ward IV, for their contributions to the City and looks forward to a successful 2008.

Councilmember Durrell commended Mayor Nations for the outstanding “State of the City” speech he gave at the November 21st Chesterfield Chamber of Commerce General Membership Meeting.

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:46 p.m.

Mayor John Nations

ATTEST:

Judith A. Naggiar, City Clerk