



## **RECORD OF PROCEEDING**

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

**MAY 16, 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**

**ABSENT**

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

**APPROVAL OF MINUTES**

The minutes of the May 2, 2011 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Fults, 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 presented a Proclamation to Ms. Michele Rutlege, Vice President of Wings of Hope, in recognition of the work Wings of Hope does around the world to help eliminate poverty and assist communities to become self-sustaining. Mayor Geiger announced that Wings of Hope has been nominated for the 2011 Nobel Peace Prize. Ms. Rutlege thanked Mayor Geiger and the City Councilmembers for their support of Wings of Hope.

Ms. Stacey Morse, Executive Director of Chesterfield Arts, made a presentation regarding Chesterfield Arts “Make Your Mark” Mural Project on June 4<sup>th</sup>. Ms. Morse introduced two student leaders, Jocelyn Sheffield and Wilson Hayward, who provided an overview of the “Make Your Mark” Mural Project. Mayor Geiger commended Chesterfield Arts for all that they do in the community and said that everyone is excited about the upcoming mural project. In response to Mayor Geiger’s question, Ms. Morse stated that June 11 is a back-up date if they are rained out on June 4<sup>th</sup>. City Administrator Herring commended Ms. Morse and the student leaders on tonight’s presentation.

Mayor Geiger recognized State Representative Don Gosen and Former Councilmember Jane Durrell in attendance tonight.

Mayor Geiger invited everyone to attend the Amphitheater Grand Opening on Saturday, May 21.

Mayor Geiger announced that City Hall will be closed Monday, May 30, in observance of Memorial Day. With that in mind, he announced that the next meeting of City Council has been scheduled for Monday, June 6, at 7 p.m.

Mayor Geiger read a letter from Chief of Police Ray Johnson regarding the Police Department’s successful “Drug Take-Back” program, at the April 16<sup>th</sup> Earth Day event and at DEA’s National “Drug Take-back” program, on April 30<sup>th</sup>. Mayor Geiger asked Acting Chief of Police Captain Ed Nestor to relay his congratulations to Chief of Police Ray Johnson. Mayor Geiger also asked Councilmember Logan, Council liaison to the Alliance for Positive Youth, to relay his congratulations to the members of the Alliance for Positive Youth for a successful program.

Mayor Nations wished a “Happy Birthday” to Councilmember Flachsbart on May 18th, Councilmember Nation on May 23<sup>rd</sup>, and City Administrator Herring on May 25<sup>th</sup>.

## **COMMUNICATIONS AND PETITIONS**

Former Councilmember Jane Durrell, 177 Gunston Hall Court, announced that the Historical Commission’s book, “Chesterfield Missouri: From Untamed Wilderness to Thriving Municipality” is available for sale at City Hall, Chesterfield Arts, Chesterfield Chamber of Commerce, Old House at Hog Hollow, and will be available at the Amphitheater Grand Opening on May 21<sup>st</sup>. Mrs. Durrell said the cost of this book is \$20

through May 31 and will cost \$25 after that. Mayor Geiger commended Mrs. Durrell and the Historical Commission for their efforts in producing this book.

Ms. Alison Marischen, attorney for the petitioner, stated she was available to answer any questions on Bill No. 2835 (Approves a boundary adjustment plat for Greenleaf Estates, Lots 42 and 43).

## **APPOINTMENTS**

There were no appointments.

## **COUNCIL COMMITTEE REPORTS**

### **Parks and Recreation Committee**

Councilmember G. Elliot Grissom, Chairperson of the Parks and Recreation Committee, announced that the next meeting of this Committee scheduled for Thursday, May 26, at 5:30 p.m. has been postponed until Thursday, June 30, at 5:30 p.m.

### **Finance and Administration Committee**

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for Monday, May 23, at 5:30 p.m. [Note: This meeting was subsequently postponed until Monday, June 27, 2011, at 5:30pm.]

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

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported Bill No. 2832 [P.Z. 11-2010 – Chesterfield Senior Living (Plan Provisions, LLC)] was scheduled for a second reading at tonight’s meeting, but the petitioner has requested to delay the second reading of this rezoning petition. Councilmember Fults made a motion, seconded by Councilmember Segal, to HOLD Bill No. 2832 until the June 6<sup>th</sup> City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults next reported that Bill No. 2833 [P.Z. 15-2010 – Highland on Conway (Delmar Gardens at Conway Ridge III, LLC)] will be considered for adoption under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next reported that Bill No. 2835 (Approves a boundary adjustment plat for Greenleaf Estates, Lots 42 and 43) is 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 scheduled for Thursday, May 19, at 5:30 p.m. has been postponed until Tuesday, May 24, at 5:30 p.m.

## **REPORT FROM THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that Fuji Sushi & Teriyaki, Inc., 84 Clarkson Wilson Center, has requested a new liquor license to sell all kinds of liquor by the drink and Sunday sales. Mr. Herring reported that this application has been reviewed and recommended for approval by the Police Department and the Department of Planning/Public Works. Councilmember Logan made a motion, seconded by Councilmember Grissom, to approve issuance of a liquor license to Fuji Sushi & Teriyaki, Inc. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, to exercise the “power of review” regarding the CUP for P.Z. 02-2011 – Chesterfield Senior Living (Plan Provisions, LLC) to refer this item to the Planning & Public Works Committee for discussion at their meeting on May 24th. Councilmember Segal stated that he will vote “yes” on the motion to exercise the “power of review”, in support of Councilmember Fults, because he feels it is appropriate that the residents, the petitioner, and the Councilmembers have this opportunity to have all of their questions answered on this project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **LEGISLATION**

There was no Legislation.

## **LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2833** REPEALS CITY OF CHESTERFIELD ORDINANCE 1870 BY CHANGING THE ZONING OF A “PC” PLANNED COMMERCIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT OF 5.2909 ACRES IN SIZE LOCATED ON THE NORTH SIDE OF US HIGHWAY 40/INTERSTATE 64 EAST OF ITS INTERSECTION WITH CHESTERFIELD PARKWAY AND WEST OF ITS INTERSECTION WITH TIMBERLAKE PARKWAY (P.Z. 15-2010 HIGHLAND ON CONWAY {DELMAR GARDENS AT CONWAY RIDGE III, LLC}) **(SECOND READING - PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2833. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2833 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 2833 with the following results: Ayes – Segal, Logan, Casey, Grissom, Flachsbart, Nation, Fults and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2833 approved, passed it and it became **ORDINANCE NO. 2651.**

**BILL NO. 2835** PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR GREENLEAF ESTATES LOTS 42 AND 43 ZONED “R-1” RESIDENT DISTRICT LOCATED NORTHWEST OF THE INTERSECTION OF WIMBORNE COURT AND GREENLEAF VALLEY DRIVE (**FIRST AND SECOND READINGS; DEPT. OF PLANNING/PUBLIC WORKS RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2835. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2835 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2835. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2835 was read for the second time.

A roll call vote was taken for the passage and approval of Bill No. 2835 with the following results: Ayes – Casey, Nation, Fults, Logan, Grier, Grissom, Flachsbart and Segal. Nays – None. Whereupon Mayor Geiger declared Bill No. 2835 approved, passed it and it became **ORDINANCE NO. 2652.**

### **ADJOURNMENT**

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:37 p.m.

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Mayor Bruce Geiger

**ATTEST:**

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Judith A. Naggiar, City Clerk