



## RECORD OF PROCEEDING

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

**May 20, 2013**

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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 May 6, 2013 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Greenwood, 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 City Hall will be closed Monday, May 27, in observance of Memorial Day.

Mayor Nation next announced that City Fest, Chesterfield's 25<sup>th</sup> Anniversary Celebration, will be held on Saturday, June 1 at the Amphitheater.

Mayor Nation announced that the next meeting of City Council has been scheduled for Monday, June 3, at 7 p.m.

## **COMMUNICATIONS AND PETITIONS**

Mayor Nation presented a proclamation to Ms. Ruimin Wu, an eighth grader at Parkway Central Middle School. Ms. Wu is the Missouri state winner in this year's "Doodle for Google" contest.

Mr. Bill England, from the Chesterfield Historic and Landmarks Preservation Committee, presented Mayor Nation with a poster depicting the history of Chesterfield. The poster illustrates a timeline of historic events which helped to shape our community into what it is today.

Prosecuting Attorney Tim Engelmeyer stated that it has been an honor and privilege to represent the City of Chesterfield as the City's Prosecuting Attorney, while indicating his willingness and desire to be re-appointed. He stated that he has worked hard to help this court run efficiently and effectively and he believes it is one of the top courts in St. Louis. He complimented the court staff and invited Councilmembers to visit on Tuesday nights to observe the process.

Mr. Mike Doster, DosterUllom, LLC, stated he was available to answer questions related to proposed Bill No. 2926, (Spirit Valley Development, LLC).

Mr. Doster then spoke regarding proposed Bill No. 2928, Mercy Health System (Chesterfield Village, SE Quadrant). He stated that Mercy has no plans to acquire the acreage to the east of its present site, and hopes the proposed amendment will not pre-commit a future Council to some solution without knowing what the development will be, what the future traffic conditions and what a future traffic study might determine. Discussion ensued. Both Councilmember Hurt and Councilmember Greenwood expressed concerns and supported the amendment discussed during the Agenda Review meeting. Mr. Doster further noted that Mercy has sought flexibility from the beginning by zoning the entire site as "UC" Urban Core and this project will be built out in phases over a period of years.

Mayor Nation recognized State Representative Don Gosen, who was in attendance at this meeting.

Mr. George Stock, Stock and Associates, spoke regarding proposed Bill No. 2928, Mercy Health System (Chesterfield Village, SE Quadrant) with regard to access to Chesterfield Parkway. He stated that many months were spent planning the strategic location of access far from Schoettler Valley Drive and Elbridge Payne Road. The campus layout was planned based on that access location and Mercy would like certainty regarding their access moving forward. They would be hesitant to agree to additional language that creates a level of uncertainty. Councilmember Hurt again expressed his intent to seek approval of an amendment regarding this development. [See Bill No. 2928, under “Legislation – Planning Commission”, below.]

## **APPOINTMENTS**

Mayor Nation asked for approval of Resolution No. 400, which re-appoints Prosecuting Attorney Tim Engelmeyer for a four year term beginning May 7, 2013. Councilmember Grissom made a motion, seconded by Councilmember Grier, to adopt Resolution No. 400. Councilmember Greenwood stated she will be voting “NO” on Resolution No. 400 because she believes this should be a two-year term. A voice vote was taken with an affirmative result (Councilmember Greenwood voted “No”) and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

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

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2926 (Spirit Valley Development, LLC) will be considered for adoption under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults next reported that Bill No. 2927 (Installation of Yield signs at West Manor Drive and Penshurst Place) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Fults reported that Bill No. 2928 (Chesterfield Village, SE Quadrant) will be read for the first time under the “Legislation – Planning Commission” portion of the agenda.

Councilmember Fults reported that Bill No. 2929 (Approves acceptance of Chesterfield Ridge Circle as a public street) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults reported that Bill No. 2930 (Approves acceptance of Paddington Hill Drive and Gatwick Court as public streets) will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Fults then reported that Bill No. 2931 (Spirit Valley Business Park, Lot 1, Lot Split) 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 has been scheduled for Thursday, May 23, at 5:30 p.m.

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

City Administrator Mike Herring reported that Public Works Staff has received and evaluated proposals regarding design/construction engineering services for the Appalachian Trail – Phase II project. He noted that Staff sought and successfully obtained grant funding equal to 70% of the total cost of this project. Based upon a review of information provided by Jim Eckrich, Public Works Director/City Engineer, Mr. Herring joined with him in recommending award of a contract to CDG Engineers, at a cost not to exceed \$315,000. As noted above, due to grant funding, the City’s ultimate cost for this contract will not exceed \$94,500, which is funded within the context of the FY 2013 Budget. Councilmember Flachsbart made a motion, seconded by Councilmember Grier, to award a contract to CDG Engineers, in an amount not to exceed \$315,000, as noted above. 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. 2927** AMENDS ORDINANCE NO. 35, SCHEDULE VII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING YIELD CONTROL FOR THE WESTERN INTERSECTION OF WEST MANOR DRIVE AND PENSHURST PLACE (**SECOND READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the second reading of Bill No. 2927. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2927 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2927 with the following results: Ayes – Grier, Casey, Greenwood, Grissom, DeGroot, Flachsbart, Fults and Hurt. Nays – None. Whereupon Mayor Nation declared Bill No. 2927 approved, passed it and it became **ORDINANCE NO. 2744**.

**BILL NO. 2929** PERTAINS TO THE ACCEPTANCE OF CHESTERFIELD RIDGE CIRCLE AS A PUBLIC STREET IN THE CITY OF CHESTERFIELD (**FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 2929. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2929 was read for the first time.

**BILL NO. 2930** PERTAINS TO THE ACCEPTANCE OF PADDINGTON HILL DRIVE AND GATWICK COURT AS PUBLIC STREETS IN THE CITY OF CHESTERFIELD (**FIRST READING; PLANNING & PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember DeGroot, for the first reading of Bill No. 2930. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2930 was read for the first time.

**LEGISLATION – PLANNING COMMISSION**

**BILL NO. 2926** REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 2456 TO ALLOW FOR AN ADDITIONAL PERMITTED USE FOR A 52.82-ACRE TRACT OF LAND LOCATED SOUTH OF OLIVE STREET ROAD AND EAST OF WARDENBURG (**SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Greenwood, for the second reading of Bill No. 2926. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2926 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2926 with the following results: Ayes – Hurt, Grier, Casey, DeGroot, Greenwood, Fults and Grissom. Nays – Flachsbart. Whereupon Mayor Nation declared Bill No. 2926 approved, passed it and it became **ORDINANCE NO. 2745**.

**BILL NO. 2928** REPEALS ST. LOUIS COUNTY ORDINANCE 11,323 AND CITY OF CHESTERFIELD ORDINANCE 2721 TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN AREA COVERED BY TWO “C-8” PLANNED COMMERCIAL DISTRICTS AND ONE “UC” URBAN CORE DISTRICT TO A SINGLE “UC” URBAN CORE DISTRICT FOR A 43.35 ACRE AREA OF LAND LOCATED NORTH OF CHESTERFIELD

PARKWAY AT THE INTERSECTION WITH ELBRIDGE  
PAYNE RD. (P.Z. 06-2013 MERCY HEALTH SYSTEMS  
{CHESTERFIELD VILLAGE SE QUADRANT} 19S531791,  
19S531801, 18S210028, 18S210149, 18S210073, 18S210062,  
18S220148, 18S220171,18S220061, 19S531922, AND 18S210138)  
**(FIRST READING; PLANNING COMMISSION  
RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grier, for the first reading of Bill No. 2928. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2928 was read for the first time.

Councilmember Hurt made a motion, seconded by Councilmember Flachsbart, to amend Bill No. 2928 by adding the following language, as item #4, to Section I. Access/Access Management:

“In the event the developer acquires the property to the east, abutting Schoettler Valley Drive, the City reserves the right to require a Traffic Study regarding the potential impact to Schoettler Valley Drive, Chesterfield Parkway East, and the new public drive which will be constructed as part of the development. The City of Chesterfield retains the right to authorize modifications along these roads, including additions, deletions or relocations of traffic signals and changes to access.”

After some discussion, a roll call vote was taken with the following results: Ayes – Hurt, Greenwood and Flachsbart. Nays – DeGroot, Fults, Grissom, Grier and Casey. Whereupon Mayor Nation declared the motion failed.

Councilmember Greenwood made a motion to amend Section 1A. Permitted Uses, by removing item jj - Telecommunications tower or facility. Mayor Nation declared the motion failed due to lack of a second.

**BILL NO. 2931** PROVIDES FOR THE APPROVAL OF A LOT SPLIT FOR SPIRIT VALLEY BUSINESS PARK LOT 1, FOR A 2.664 ACRE TRACT OF LAND ZONED “PI” PLANNED INDUSTRIAL DISTRICT LOCATED WEST OF SPIRIT VALLEY CENTRAL DRIVE, SOUTH OF OLIVE STREET ROAD (17W420068)  
**(FIRST AND SECOND READINGS; PLANNING & DEVELOPMENT SERVICES DIVISION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grier, for the first reading of Bill No. 2931. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2931 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 2931. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2931 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2931 with the following results: Ayes – Casey, Fults, Grier, DeGroot, Hurt, Flachsbart, Greenwood and Grissom. Nays – None. Whereupon Mayor Nation declared Bill No. 2931 approved, passed it and it became **ORDINANCE NO. 2746**.

### **ADJOURNMENT**

There being no further business to discuss, Mayor Nation adjourned the meeting at 7:52 p.m.

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Mayor Bob Nation

**ATTEST:**

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Vickie J. Hass, City Clerk