RECORD OF PROCEEDING

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

AUGUST 15, 2011

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 August 1, 2011 City Council meeting were submitted for approval. Councilmember Grissom made a motion, seconded by Councilmember Segal, 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 recognized Former Mayor Nancy Greenwood in attendance.

Mayor Geiger stated that the community is mourning the passing of Mrs. Joan Schmelig, President of the Chesterfield Chamber of Commerce, on August 6. Mayor Geiger said that Mrs. Schmelig built the Chamber of Commerce membership to more than 900 businesses. She developed the Chamber into one of the largest and most active chambers in the region. Mayor Geiger said that Mrs. Schmelig's main goal was to make Chesterfield better and she accomplished this with her incredible energy and dedication. Mayor Geiger extended his sympathy to Dick Schmelig, husband of Joan Schmelig, and their family.

City Administrator Mike Herring stated that Joan Schmelig was among the first people he met after the City was incorporated, in 1988. He noted that the Chamber of Commerce was the only city-wide organization in place at that time and much of what happened, in Chesterfield, revolved around the Chamber. Mr. Herring said that Mrs. Schmelig had the ability to understand/recognize that Chesterfield's future success would largely depend upon the ability of the Chamber and City Hall forming a partnership, working together for our community. He said that Mrs. Schmelig was a highly-visible and vocal cheerleader for Chesterfield, always looking for opportunities to enhance our community and challenging everyone to be better. Mr. Herring said that Mrs. Schmelig was a significant reason for much of Chesterfield's success and will be sorely missed.

Councilmember Barry Flachsbart said he attended high school with Dick Schmelig and has known Joan and Dick for a long time. He said that Mrs. Schmelig always brought the Chamber's Board and the City Council together and we will honor her memory by continuing this relationship.

Mayor Geiger stated that Mr. Phil Scissors, Secretary of the City's Police Personnel Board, passed away on August 5. Mayor Geiger stated that Mr. Scissors was a member of the Police Personnel Board for about nine years and volunteered his services in the community. Mayor Geiger extended his sympathy to Mrs. Judi Scissors, wife of Phil Scissors, and their family.

Mayor Geiger recognized Boy Scout Tanner Caldwell, from Troop 554, and Boy Scout Patrick Enderle, from Troop 809, who are both working on their "Citizenship in the Community" badge. Mayor Geiger invited Mr. Caldwell and Mr. Enderle to meet with him, following the meeting, with any questions they might wish to ask.

Mayor Geiger announced that Baxter Road was closed at Edison Road, beginning today, August 15. This is a Corps of Engineers project and they have indicated that the road could be closed for 60-70 days.

Mayor Geiger next announced that City Hall will be closed on Monday, September 5, in observance of Labor Day. With that in mind, he announced that the next meeting of City

Council has been scheduled for Wednesday, September 7, at 7 p.m. [NOTE: The September 7th meeting of City Council was subsequently cancelled.]

Mayor Geiger wished a "Happy Birthday" to Councilmember Mike Casey on August 17.

COMMUNICATIONS AND PETITIONS

There were no communications and petitions.

APPOINTMENTS

Mayor Geiger nominated Mr. Bud Gruchalla, from Ward I, for re-appointment as a member of the Architectural Review Board. Councilmember Flachsbart made a motion, seconded by Councilmember Segal, to re-appoint Mr. Gruchalla to serve as a member of the Architectural Review Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Gruchalla's two-year term expires August 29, 2013.

Mayor Geiger next nominated Mr. Gary Perkins, from Ward II, for re-appointment as a member of the Architectural Review Board. Councilmember Grissom made a motion, seconded by Councilmember Grier, to re-appoint Mr. Perkins to serve as a member of the Architectural Review Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Perkins' two-year term expires September 6, 2013.

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 has been scheduled for Thursday, August 25, at 5:30 p.m. [Note: That meeting was subsequently cancelled.]

Finance and Administration Committee

Councilmember Mike Casey, Chairperson of the Finance and Administration Committee, reported that Bill No. 2845 (Re-Adopts the procedure for Disclosure of Conflicts for certain Municipal Officials) will be read for the first time under the "Legislation" portion of the Agenda.

Councilmember Casey next reported that Bill No. 2848 (Authorizes the Mayor to execute a Community Development Cooperation Agreement with St. Louis County) is scheduled for both first and second reading approval, under the "Legislation" portion of the Agenda. City Administrator Herring stated that the City received approximately $45,000 every year, for approximately the past fifteen years, from St. Louis County. He said that the City has used these funds to install handicapped-access ramps, which link the sidewalks

with the streets, eliminating curbing, in the process. In order to give the Mayor the authority to sign the agreements, prior to the 8/25/11 deadline, established by HUD, Bill No. 2848 needs to be read two times at tonight's City Council meeting.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for Monday, August 22, at 5:30 p.m.

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Flachsbart, to approve the recommendation to establish the "Chesterfield Historic and Landmark Preservation Committee (CHLPC)." Councilmember Fults commended Staff for their efforts in creating the bylaws for the CHLPC. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults reported that Bill No. 2840 (Changes the name of a portion of Lydia Hill Drive to August Hill Drive), Bill No. 2841 [Establishes NO PARKING for the entire length of Lydia Hill (south side) and from Veteran's Place to Chesterfield Parkway West (north side only)], Bill No. 2842 (Establishes a 30 mph speed limit for Lydia Hill/August Hill) and Bill No. 2843 (Authorizes City Administrator to sign agreement with MODOT re: Timberlake Manor Bridge Replacement) will be considered for adoption under the "Legislation" portion of the Agenda. Councilmember Fults next reported that Bill No. 2844 [P.Z. 05-2011, Drury Plaza Hotel (Drury Development Corporation)] will be considered for adoption under the "Legislation – Planning Commission" portion of the Agenda.

Councilmember Fults next reported that Bill No. 2846 (Provides for approval of a Boundary Adjustment Plat – Chesterfield Place Lot 7) and Bill No. 2847 (Provides for approval of a Boundary Adjustment Plat – Spirit Trade Center Lots 12A and 12D) 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, originally scheduled for Thursday, August 18, at 5:30 p.m. has been cancelled.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that EdgeWild Restaurant and Winery, 550 Chesterfield Center (formerly Bahama Breeze), has requested a new liquor license, to sell all kinds of liquor by the drink, in original packages, 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 Casey, to approve issuance of a new liquor license to EdgeWild Restaurant and Winery. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Filippo's Italian Kitchen and Bar, 120 Chesterfield Valley Drive (formerly Tribeca), 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 Departments of Police and Planning/Public Works. Councilmember Fults made a motion, seconded by Councilmember Casey, to approve issuance of a new liquor license to Filippo's Italian Kitchen and Bar. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Mayor Geiger commended the Parks and Recreation staff for their very successful concert series, at the City's Amphitheater.

LEGISLATION

BILL NO. 2840 CHANGES THE NAME OF A PORTION OF LYDIA HILL DRIVE TO AUGUST HILL DRIVE, FROM THE INTERSECTION OF LYDIA HILL DRIVE AND CHESTERFIELD PARK DRIVE TO THE EASTERN LINE OF AUGUST HILL DRIVE **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2840. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2840 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2840 with the following results: Ayes – Logan, Nation, Flachsbart, Casey, Segal, Grier, Grissom and Fults. Nays – None. Whereupon Mayor Geiger declared Bill No. 2840 approved, passed it and it became **ORDINANCE NO. 2658.**

BILL NO. 2841 AMENDS ORDINANCE NUMBER 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY AMENDING PROVISIONS THERETO REGARDING THE RESTRICTION OF PARKING ON LYDIA HILL DRIVE. **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2841. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2841 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2841 with the following results: Ayes – Grissom, Grier, Logan, Flachsbart, Segal, Fults, Nation and Casey. Nays – None. Whereupon Mayor Geiger declared Bill No. 2841 approved, passed it and it became **ORDINANCE NO. 2659.**

BILL NO. 2842 AMENDS ORDINANCE NUMBER 35, SCHEDULE III OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ESTABLISHING SPECIAL SPEED LIMITS ON LYDIA HILL DRIVE AND AUGUST HILL DRIVE. **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the second reading of Bill No. 2842. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2842 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2842 with the following results: Ayes – Grier, Casey, Logan, Flachsbart, Fults, Segal, Nation and Grissom. Nays – None. Whereupon Mayor Geiger declared Bill No. 2842 approved, passed it and it became **ORDINANCE NO. 2660.**

BILL NO. 2843 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A SURFACE TRANSPORTATION PROGRAM AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION REGARDING THE TIMBERLAKE MANOR BRIDGE REPLACEMENT OVER BRANCH OF CREVE COEUR CREEK. **(SECOND READING; PLANNING/PUBLIC WORKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the second reading of Bill No. 2843. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2843 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2843 with the following results: Ayes – Nation, Logan, Flachsbart, Grissom, Grier, Segal, Fults and Casey. Nays – None. Whereupon Mayor Geiger declared Bill No. 2843 approved, passed it and it became **ORDINANCE NO. 2661.**

BILL NO. 2845 RE-ADOPTS THE PROCEDURE ESTABLISHED IN ORDINANCE NO. 605, OF THE CITY OF CHESTERFIELD, AS THE PROCEDURE FOR DISCLOSURE OF CONFLICTS FOR CERTAIN MUNICIPAL OFFICIALS (**FIRST READING**; **FINANCE/ADMINISTRATION COMMITTEE)**

Councilmember Casey made a motion, seconded by Councilmember Segal, for the first reading of Bill No. 2845. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2845 was read for the first time.

BILL NO. 2848 AUTHORIZES THE MAYOR OF THE CITY OF CHESTERFIELD, MISSOURI, TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT OF 2012-2014; AND

SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED (**FIRST AND SECOND READINGS; FINANCE AND ADMINISTRATION COMMITTEE**)

Councilmember Casey made a motion, seconded by Councilmember Segal, for the first reading of Bill No. 2848. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2848 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2848. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2848 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2848 with the following results: Ayes – Grier, Logan, Casey, Flachsbart, Grissom, Fults, Nation and Segal. Nays – None. Whereupon Mayor Geiger declared Bill No. 2848 approved, passed it and it became **ORDINANCE NO. 2662.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 2844 REPEALS CITY OF CHESTERFIELD ORDINANCES 2173 AND 2281 AND REPLACING THEM WITH A NEW ORDINANCE TO ALLOW FOR CHANGES TO THE PERMITTED USE REQUIREMENTS AND THE LANDSCAPE PLAN REQUIREMENTS FOR A 4.851 ACRE TRACT OF LAND ZONED "PC" PLANNED COMMERCIAL DISTRICT LOCATED ADJACENT TO CHESTERFIELD MALL AT THE INTERSECTION OF CLARKSON ROAD AND U.S. HIGHWAY 40/INTERSTATE 64. (P.Z. 05-2011 DRURY PLAZA HOTEL {DRURY DEVELOPMENT CORPORATION}) **(SECOND READING; PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Nation, for the second reading of Bill No. 2844. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2844 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2844 with the following results: Ayes – Grier, Fults, Flachsbart, Nation, Segal, Logan, Casey and Grissom. Nays – None. Whereupon Mayor Geiger declared Bill No. 2844 approved, passed it and it became **ORDINANCE NO. 2663.**

BILL NO. 2846 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR CHESTERFIELD PLACE LOT 7 AND PART OF TRACT A OF THE RESUBDIVISION OF LOT 2 OF OLD CLARKSON ESTATES ZONED "R1A" RESIDENCE DISTRICT LOCATED AT THE END OF THE CHESTERFIELD PLACE CUL DE SAC. **(FIRST AND SECOND READINGS; DEPT. OF PLANNING & PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2846. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2846 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Logan, for the second reading of Bill No. 2846. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2846 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2846 with the following results: Ayes – Nation, Logan, Grier, Fults, Casey, Flachsbart, Grissom and Segal. Nays – None. Whereupon Mayor Geiger declared Bill No. 2846 approved, passed it and it became **ORDINANCE NO. 2664.**

BILL NO. 2847 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR SPIRIT TRADE CENTER LOTS 12A & 12D ZONED "M3" PLANNED INDUSTRIAL DISTRICT LOCATED A HALF MILE SOUTHWEST OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND TRADE CENTER BOULEVARD. **(FIRST AND SECOND READINGS; DEPT. OF PLANNING & PUBLIC WORKS RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2847. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2847 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Grier, for the second reading of Bill No. 2847. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2847 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2847 with the following results: Ayes – Logan, Flachsbart, Segal, Fults, Grissom, Grier, Nation and Casey. Nays – None. Whereupon Mayor Geiger declared Bill No. 2847 approved, passed it and it became **ORDINANCE NO. 2665.**

ADJOURNMENT

There being no further business to discuss, Mayor Geiger adjourned the meeting at 7:32 p.m.

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Mayor Bruce Geiger

ATTEST:

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Judith A. Naggiar, City Clerk