



RECORD OF PROCEEDING

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

SEPTEMBER 19, 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

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

ABSENT

Councilmember Randy Logan

APPROVAL OF MINUTES

The minutes of the August 15, 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 announced that the next meeting of City Council has been scheduled for Monday, October 3, at 7 p.m.

Mayor Geiger announced that the City has registered over 600 dogs for the new Eberwein Dog Park. Mayor Geiger commended Staff for their efforts in developing this park and encouraged everyone to visit the park.

Mayor Geiger announced that the next meeting of the Planning Commission has been scheduled for Monday, September 26, at 6:30 pm. At the request of Mayor Geiger, Councilmember Fults confirmed that future meetings will start at 6:30 pm, instead of 7:00 pm.

Mayor Geiger recognized Boy Scout Karl Frank, from Troop 597, who is working on his “Citizenship in the Community” badge and invited Mr. Frank to meet with him, following the meeting, with any questions he might wish to ask.

COMMUNICATIONS AND PETITIONS

Ms. Meredith Goldenhersh and Ms. Coral Wallace, 17701 Edison, Suite #4, stated they were available to answer any questions on Bill No. 2853 [P.Z. 06-2011, Pets & Company (667 and 671 Trade Center Blvd)].

Mr. Felix Owens, 15954 Woodlet Park Court, requested that City Council amend Ordinance 2641 (parking of recreational vehicles in residential areas) by adding a “grandfather” clause to allow original homeowners to park an RV at their residence. Discussion ensued regarding the exclusion of a “grandfathering” clause in this ordinance. Councilmember Segal stated for the record that subdivision trustees who have indentures that allow RV parking requested that the City do something about the RV parking problems to protect property values. Mr. Owens gave photos to Mayor Geiger that showed the location of his parked RV at his residence.

Mr. Barry Simon, petitioner, stated he was available to answer questions on Bill No. 2857 [Approves Boundary Adjustment Plat – Fox Hill Farms (Lots 32, 33 & 34)].

APPOINTMENTS

There were no appointments.

COUNCIL COMMITTEE REPORTS

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 of

Interest, for certain Municipal Officials) will be considered for adoption under the “Legislation” portion of the Agenda.

Councilmember Casey made a motion, seconded by Councilmember Nation, to accept/approve the Annual Audit/CAFR. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mayor Geiger commended Director of Finance and Administration Kelly Vaughn and Assistant Director of Finance and Administration Brian Whittle for their outstanding work on the audit.

Councilmember Casey reported that Bill No. 2849 (Re-establishes the current property tax rate, of \$.03/\$100, for 2011) is scheduled for both first and second reading approval, under the “Legislation” portion of the Agenda.

Councilmember Casey made a motion, seconded by Councilmember Grier, to approve the proposed City Council meeting schedule for 2012. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next made a motion, seconded by Councilmember Flachsbart, to approve the recommendation to utilize “**trafficpayment.com**” for the payment of Court fines. Councilmember Segal stated that the City does not pay any fees or incur any costs for utilizing this service, which is a convenience for the person making payment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next reported that Bill No. 2850 (Maintains Current Gross Receipts Tax Rate, of 5%, for AmerenUE) is scheduled for both first and second reading approval, under the “Legislation” portion of the Agenda.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for Monday, September 26, at 5:30 p.m.

Planning/Public Works Committee

Councilmember Connie Fults, Chairperson of the Planning/Public Works Committee, reported that Bill No. 2851 [P.Z. 01A – 2011, McDonald’s Corporation Delaware (13559 Olive Blvd.)], Bill No. 2852 [P.Z. 01B - 2011, McDonald’s Corporation Delaware (13559 Olive Blvd.)], and Bill No. 2853 [P.Z. 06-2011, Pets & Company (667 and 671 Trade Center Blvd)] will be read for the first time under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next made a motion, seconded by Councilmember Grissom, to approve **T.S.P. 28-2011** - AT&T (471 North Woodsmill Road). 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 Grier, to approve **T.S.P. 33-2011** - AT&T (14847 Olive Blvd.) 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 Flachsbart, to approve the recommendation to end negotiations with AmerenUE to acquire easement for the Monarch Chesterfield Levee Trail. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Fults next reported that Bill No. 2854 (Repeals/replaces Ordinance No. 614 and designated ADA Coordinator), Bill No. 2855 (Authorizes City Administrator to sign Agreement with Illinois State Museum for Curation of Artifacts uncovered by Corps of Engineers work at Dampier Site), and Bill No. 2856 (Authorizes Municipal Boundary Adjustment with City of Creve Coeur) will be read for the first time under the “Legislation – Planning Commission” portion of the Agenda.

Councilmember Fults next reported that Bill No. 2857 [Approves Boundary Adjustment Plat – Fox Hill Farms (Lots 32, 33 & 34)] 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, September 22, at 5:30 p.m.

REPORT FROM THE CITY ADMINISTRATOR

Mayor Geiger stated that City Administrator Mike Herring is out of town and has designated City Attorney Rob Heggie as Acting-City Administrator for tonight’s meeting.

Acting-City Administrator Rob Heggie reported that the City recently sought bids for the City’s annual project to retrofit handicapped access ramps throughout the City, utilizing Community Development Block Grant (CDBG) funds. Based upon a review of the information provided by Principal Engineer Susan Mueller, Mr. Heggie joined with her in recommending award of a contract to Amcon Municipal Concrete, LLC, in an amount-not-to-exceed \$41,900. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award a contract to Amcon Municipal Concrete, LLC, in an amount-not-to-exceed \$41,900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Heggie next reported that Doubletree Chesterfield, 16625 Swingley Ridge Road, has requested a new liquor license, due to a change in owners, to sell all kinds of liquor by the drink and Sunday sales. Mr. Heggie 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 Grissom, to approve issuance of a new liquor license to Doubletree Chesterfield. 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. 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 (**SECOND READING; FINANCE/ADMINISTRATION COMMITTEE**)

Councilmember Casey made a motion, seconded by Councilmember Nation, for the second 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 second time. A roll call vote was taken for the passage and approval of Bill No. 2845 with the following results: Ayes – Casey, Grier, Nation, Fults, Segal, Flachsbart and Grissom. Nays – None. Whereupon Mayor Geiger declared Bill No. 2845 approved, passed it and it became **ORDINANCE NO. 2666**.

BILL NO. 2849 FIXES THE RATE OF TAXATION FOR THE YEAR 2011 AND LEVIES A TAX ON ALL REAL AND PERSONAL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD, MISSOURI, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE GENERAL OBLIGATION BOND ISSUE FOR PARKS; EFFECTIVE WHEN (**FIRST AND SECOND READINGS; FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Grier, for the first reading of Bill No. 2849. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2849 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2849. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2849 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2849 with the following results: Ayes – Segal, Flachsbart, Casey, Grissom, Nation, Fults and Grier. Nays – None. Whereupon Mayor Geiger declared Bill No. 2849 approved, passed it and it became **ORDINANCE NO. 2667**.

BILL NO. 2850 MAINTAINS THE PUBLIC UTILITY LICENSE TAX ON THE GROSS RECEIPTS OF PUBLIC UTILITIES INCLUDING, BUT NOT LIMITED TO, ELECTRIC CORPORATIONS CONDUCTING BUSINESS WITHIN THE CITY OF

**CHESTERFIELD (FIRST AND SECOND READINGS;
FINANCE AND ADMINISTRATION COMMITTEE)**

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2850. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2850 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for the second reading of Bill No. 2850. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2850 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2850 with the following results: Ayes – Grier, Casey, Flachsbart, Segal, Fults, Grissom and Nation. Nays – None. Whereupon Mayor Geiger declared Bill No. 2850 approved, passed it and it became **ORDINANCE NO. 2668**.

BILL NO. 2854 REPEALS THE CITY OF CHESTERFIELD ORDINANCE 614 AND ADOPTS REVISED AMERICANS WITH DISABILITIES ACT TITLE II REGULATIONS WITHIN THE CITY OF CHESTERFIELD (**FIRST READING – PLANNING/PUBLIC WORKS RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2854. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2854 was read for the first time.

BILL NO. 2855 APPROVES A COOPERATIVE AGREEMENT BETWEEN THE ILLINOIS STATE MUSEUM AND THE CITY OF CHESTERFIELD REGARDING THE CURATION OF ARTIFACTS AND RECORDS FROM THE DAMPIER ARCHAEOLOGICAL SITE (**FIRST READING – PLANNING/PUBLIC WORKS RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Flachsbart, for the first reading of Bill No. 2855. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2855 was read for the first time.

BILL NO. 2856 ADJUSTS THE MUNICIPAL BOUNDARY AT THE PROPERTY KNOWN AND NUMBERED AS 13150 OLIVE BOULEVARD (**FIRST READING – PLANNING/PUBLIC WORKS RECOMMENDS APPROVAL**)

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2856. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2856 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL NO. 2851 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C8” PLANNED COMMERCIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT OF A 220 SQUARE FOOT SECTION OF LAND LOCATED WITHIN 13559 OLIVE BOULEVARD ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE INTERSECTION OF WOODS MILL ROAD AND OLIVE BOULEVARD. (P.Z. 01A-2011 MCDONALD’S CORPORATION DELAWARE {13559 OLIVE BOULEVARD} [NEW CINGULAR WIRELESS PCS, LLC]). **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2851. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2851 was read for the first time.

BILL NO. 2852 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A “C8” PLANNED COMMERCIAL DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT OF A 225 SQUARE FOOT SECTION OF LAND LOCATED WITHIN 13559 OLIVE BOULEVARD ON THE NORTH SIDE OF OLIVE BOULEVARD WEST OF THE INTERSECTION OF WOODS MILL ROAD AND OLIVE BOULEVARD. (P.Z. 01B-2011 MCDONALD’S CORPORATION DELAWARE {13559 OLIVE BOULEVARD} [NEW CINGULAR WIRELESS PCS, LLC]). **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2852. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2852 was read for the first time.

BILL NO. 2853 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “M3” PLANNED INDUSTRIAL DISTRICT TO A “LI” LIGHT INDUSTRIAL DISTRICT FOR A 2.018 ACRE TRACT OF LAND LOCATED A HALF MILE SOUTHWEST OF THE INTERSECTION OF CHESTERFIELD AIRPORT ROAD AND TRADE CENTER BOULEVARD. (P.Z. 06-2011 SPIRIT TRADE CENTER 667 & 671 TRADE CENTER BOULEVARD {GHH INVESTMENTS, LLC}). **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2853. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2853 was read for the first time.

BILL NO. 2857 PROVIDES FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR FOX HILL FARMS LOTS 32, 33 AND 34 ZONED “E ½ AC” ESTATE DISTRICT (ONE-HALF ACRE) LOCATED NORTHWEST OF THE INTERSECTION OF FOX HILL FARMS COURT AND EAGLE BLUFF COURT. (FIRST AND SECOND READINGS – PLANNING AND PUBLIC WORKS DEPARTMENT RECOMMENDS APPROVAL)

Councilmember Fults made a motion, seconded by Councilmember Grissom, for the first reading of Bill No. 2857. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2857 was read for the first time.

Councilmember Fults made a motion, seconded by Councilmember Segal, for the second reading of Bill No. 2857. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2857 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 2857 with the following results: Ayes – Segal, Casey, Nation, Grissom, Grier, Flachsbart and Fults. Nays – None. Whereupon Mayor Geiger declared Bill No. 2857 approved, passed it and it became **ORDINANCE NO. 2669**.

ADJOURNMENT

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

Mayor Bruce Geiger

ATTEST:

Judith A. Naggjar, City Clerk