



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
FEBRUARY 21, 1996

The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

PRESENT

Mayor Jack Leonard
Councilmember Barry Flachsbart
Councilmember Colleen Hilbert
Councilmember Ed Levinson
Councilmember Barry Streeter
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Mike Cullen
Councilmember Linda Tilley

ABSENT

None

The Pledge of Allegiance was led by Mayor Jack Leonard.

Reverend Hugh Bartlett from Chesterfield Presbyterian Church led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the February 5, 1996, City Council meeting were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Jack Leonard presented a Proclamation to members of the Drug Abuse Task Force for their efforts in sponsoring the Drug Awareness Day held at Chesterfield Mall for the past five years.

Mayor Leonard placed the name of Juilane Chana in nomination to serve as a member of the Chesterfield Arts Commission. A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to approve the nomination of Ms. Chana. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Chana will fill the unexpired term of Beth Gorman, which expires August 1, 1997.

COMMUNICATIONS AND PETITIONS

Mr. Terry Domian, who resides at 2727 Joyceridge, represented residents of the Stonebriar Subdivision and urged City Council not to grant a sixty (60) day delay with regard to P.Z. 35-95, Caplaco 24, Inc. (Kehrs Mill Crossing).

(Councilmember Politte came in at this time)

Mr. Robert Coerver, who resides at 15820 Country Ridge Drive, expressed his opposition to the development of P.Z. 35-95, Caplaco 24, Inc. (Kehrs Mill Crossing).

COUNCIL COMMITTEE REPORTS

Public Health and Safety

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, announced that no future meeting has been scheduled.

Planning and Zoning

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, reported on the request of the petitioner of P.Z. 35-95, Caplaco 24, Inc. (Kehrs Mill Crossing) and their request to hold for sixty (60) days and the protest petitions that have been received by the City with regard to this development. Discussion ensued concerning receiving the protest petitions and referring them to the Planning and Zoning Committee and the need for a Public Hearing. A motion was made by Councilmember Flachsbart to accept the protest petitions and that City Council schedule a Public Hearing at the earliest possible date. The motion was seconded by Councilmember Tilley. City Administrator Herring noted that protest petitions have been filed in the past and that this is the first time that City Council would schedule a Public Hearing since it consistently delegated that responsibility to the Planning and Zoning Committee. Discussion continued. A motion was made by Councilmember Levinson to receive and file the protest petitions and refer

the matter to the Planning and Zoning Committee to schedule a Public Hearing date in an expeditious manner. The motion died for lack of a second. Additional discussion ensued. Councilmember Tilley called for the question. A roll call vote was taken on the call for the question with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Tilley. Nays - Cullen. The motion was declared passed. Additional discussion took place. A roll call vote was taken on the motion to accept the protest petitions and that City Council schedule a Public Hearing at the earliest possible date with the following results: Ayes - Flachsbart, Hilbert, Streeter, Hurt, Politte, Tilley. Nays - Levinson, Cullen. The motion was declared passed. Next, Councilmember Hilbert made a motion that a Public Hearing on this matter be scheduled before City Council for March 18, and that no other items be included on the agenda for that particular meeting. Councilmember Hilbert noted that she would not wish to vote on the issue that evening, without having time to evaluate all the information presented. Councilmember Politte seconded the motion. Following additional discussion, Councilmember Flachsbart motioned and Councilmember Tilley seconded to recommend that the motion be amended to require that a special City Council meeting be scheduled for Wednesday, March 13, at 6:00 P.M., to hear this petition, and that the matter would then be forwarded for a vote by City Council at the regular City Council meeting, scheduled for March 18. A roll call vote was taken with the following results: Ayes - Flachsbart, Streeter, Hurt, Tilley; Nays - Hilbert, Levinson, Politte, Cullen. Mayor Leonard broke the tie by voting "Aye" and the original motion was then amended. City Administrator next re-read the original motion, as amended, Councilmember Flachsbart made a motion, which was seconded by Councilmember Tilley, to approve the amended motion. A roll call vote was taken, with the following results: Ayes - Flachsbart, Streeter, Hurt, Tilley; Nays - Hilbert, Levinson, Politte, Cullen. Mayor Leonard broke the tie by voting "Nay", and the motion was defeated. After much additional discussion, Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, that the Planning and Zoning Committee of City Council schedule and conduct a Public Hearing with regard to this petition, on Wednesday, March 13, at 6:00 P.M. and that the Planning and Zoning Committee forward a recommendation regarding this matter for consideration by City Council at the March 18 City Council meeting. A voice vote was taken, with an unanimous affirmative result, and the motion was declared passed.

Councilmember Levinson next reported that Bill #'s 1194 and 1195 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for February 22, 1996 at 5:30 P.M.

Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reminded Council that the City is the recipient of a Solid Waste Reduction Grant from St. Louis County, and that the grant provides for consultant services to develop solid waste collection bid specifications. The Committee voted unanimously to recommend that City

Council approve the consultant contract with Patrick Engineering, Inc., in an amount not to exceed \$7,500. This cost will be funded entirely through the County grant. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to approve Patrick Engineering, Inc. at a cost not to exceed \$7,500. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that the Chesterfield Citizens Committee for the Environment had been working with Mr. George Calys with Alpha EnviroScience in the development of the Solid Waste Grant application. This firm will assist in the administration of all grant-related activities and will be paid entirely by grant funds; however, the City needs to formalize its approval of a contract with this firm. The Committee voted unanimously to recommend that City Council approve the consulting contract with Alpha EnviroScience, as funded by the County Solid Waste Grant, for an amount not to exceed \$23,988. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to approve the consulting contract with Alpha EnviroScience and at a cost not to exceed \$23,988. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that Chesterfield Community Development Corporation has recommended extending the contract with Lee McKinney, by six months, for his services related to levee and drainage concerns within Chesterfield Valley. The Committee voted unanimously to recommend that City Council extend Mr. McKinney's contract for professional services by six months. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to adopt Resolution #198 which would extend Mr. McKinney's contract from May 1, 1996 through October 31, 1996. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that Bill #1192 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for February 26, 1996, at 7:30 P.M.

Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that Bill #1185 will be read for the second time and considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for February 22, 1996, at 7:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring had no items to discuss.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL #1185 AMENDS ORDINANCE #535 RELATING TO THE PROHIBITION OF SMOKING IN PUBLIC PLACES AND THE ENFORCEMENT THEREOF (SECOND READING - FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #1185. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1185 was read for the second time. A roll call vote was taken for passage and approval of Bill #1185, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1185 approved, passed it and it became **ORDINANCE #1144.**

BILL #1192 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN BROOKHILL ESTATES ADDITION, PLAT 2, IN THE CITY OF CHESTERFIELD (FIRST READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Cullen, for the first reading of Bill #1192. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1192 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL #1194 AMENDS THE CITY OF CHESTERFIELD SUBDIVISION ORDINANCE SECTION 1005.040 AND SECTION 1005.090 RELATIVE TO PROVISION OF STATE PLANE COORDINATES AND A COPY OF THE RECORD PLAT IN ELECTRONIC FORMAT (P.Z. 33-95 CITY OF CHESTERFIELD PLANNING COMMISSION) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1194. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1194 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1194. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1194 was read for the second time. A roll call vote was taken for passage and approval of Bill #1194, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1194 approved, passed it and it became **ORDINANCE #1145.**

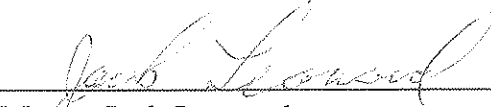
BILL #1195 REPEALS CITY OF CHESTERFIELD ORDINANCE #1109 AND REPLACES IT WITH AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RECORD PLAT FOR DUGSFORD COMMONS SUBDIVISION, LOCATED IN THE "C-8" PLANNED COMMERCIAL DISTRICT, NORTH SIDE OF WILD HORSE CREEK ROAD, EAST OF LONG ROAD (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1195. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1195 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1195. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1195 was read for the second time. A roll call vote was taken for passage and approval of Bill #1195, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1195 approved, passed it and it became **ORDINANCE #1146.**

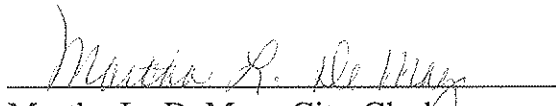
ADJOURNMENT

A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:25 P.M.



Mayor Jack Leonard

ATTEST:



Martha L. DeMay, City Clerk