



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY FEBRUARY 18, 1998

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Allan Sheppard
Councilmember Barry Streeter
Councilmember Larry Grosser
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Linda Tilley
Councilmember Mary K. Brown

ABSENT

None

The Pledge of Allegiance was led by Boy Scout Troop #597 from Ascension School: Peter Avery, Boyd Gonnerman, Kyle Gonnerman and Robert Nahlik. Also in attendance was Troop Leader Roy Avery.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the February 2, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Sheppard, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nancy Greenwood presented a proclamation to Brian Elliot from Parkway Central High School. Mr. Elliot won an award for his creation and implementation of *Deaf Link*, a program which brings together Parkway Central High School students and the resident students from St. Joseph School for the Deaf.

City Administrator Mike Herring announced that the Certificate of Achievement for Excellence in financial reporting was presented to the City of Chesterfield by the Government Finance Offices Association (GFOA) of the United States for its comprehensive annual financial report for the year ended 1997. In addition, Mr. Herring stated that the FY1998 budget document has been selected to be displayed at the GFOA annual convention. Mr. Herring commended Director of Finance and Administration Jan Hawn for her efforts in obtaining this award.

COMMUNICATIONS AND PETITIONS

Millie Hill, who resides at 46 Whitmer Drive, updated the Mayor and City Council, as well as those in attendance, as to the plans being made for “Celebrate Chesterfield” to be held June 1998.

Mike Doster, whose office is located at 16476 Chesterfield Airport Road, expressed his concern with an article that had appeared in a recent issue of the Post-Dispatch regarding development in Chesterfield Valley and urged Council’s continued support for development in the Valley.

Clayton Hathaway, who resides at 112 High Valley Drive, expressed continued concern regarding low flying aircraft over the City. In addition, he thanked the Public Health and Safety Committee for discussing this issue at its last meeting. Councilmember Flachsbart commented that Mr. Dick Hrabko, Director of Spirit of St. Louis Airport, has agreed to appoint a representative from Ward I to serve on a committee which will address these issues. Councilmember Flachsbart asked Mr. Hathaway if he would like to serve on this Committee, with Council’s approval. Councilmember Flachsbart also stated that the Public Health and Safety Committee will place the item of hosting a public forum on a future Committee meeting agenda.

Tim Garnett, 16847 Ashberry Circle Drive, Trustee of Woodcliffe Place Subdivision, expressed thanks to City Council on behalf of his subdivision for the passage of legislation for the vacation of right-of-way for Silverthorne Lane.

COUNCIL COMMITTEE REPORTS

Public Health and Safety Committee

Councilmember Barry Flachsbart, Chairperson of the Public Health and Safety Committee, reported that a Public Forum

has been scheduled for Monday, March 30, 1998, at 7 p.m. in the Council Chambers to address the Page Avenue Extension issue.

Councilmember Flachsbart next reported that Bill No. 1497 will be considered for adoption under the Legislation portion of the agenda. Bill Nos. 1508, 1509 and 1511 will be read for the first time. Bill No. 1510 will be considered at this meeting.

Councilmember Flachsbart reported that the Committee voted unanimously to recommend that City Council consider paying for Hepatitis B virus vaccinations for employees who run the risk of infection due to the nature of their positions. Previously, the health insurance provider had paid for these vaccinations. Councilmember Flachsbart also noted that a budgetary transfer of approximately \$8,500 from Contingency Fund would be necessary to cover the cost of the immunization. A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley, to make a budgetary transfer of \$8,500 to cover the cost of Hepatitis B virus vaccinations for certain City employees. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that the Committee voted unanimously to recommend that City Council adopt the amendments to the Architectural Review Board, as recommended by the Commercial Moratorium Panel. The Board would consist of 2 commercial architects, 1 residential architect, 1 landscape architect, 1 member from the Arts Commission and 2 at-large members from architectural or professionally related fields, nominated by the Mayor Greenwood and approved by City Council. The purpose of this Board is to preserve and protect the character of the City and to serve as an advisory Board to the Planning Commission. A motion was made by Councilmember Hurt, seconded by Councilmember Flachsbart, to adopt the amendments made to the Architectural Review Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for February 19 at 5:30 p.m.

Mayor Greenwood stated that with the concurrence of Council, Councilmember Flachsbart requested that his portion of the Legislation be addressed at this time, due to the fact that he had to leave prior to the adjournment of the meeting. A motion was made by Councilmember Politte, seconded by Councilmember Streeter, to address the Public Health and Safety Legislation portion of the agenda at this time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 1497 PROHIBITS THE SALE OF INDIVIDUAL CANS OR BOTTLES OF BEER AND MALT LIQUOR IN EXCESS OF 12 OUNCES IN ANY OTHER MANNER THAN BY PACKAGES CONTAINING THREE OR MORE SUCH BOTTLES OR CANS (**SECOND READING, AS AMENDED** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for a second reading of Bill No. 1497, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1497 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1497, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1497 approved, passed it and it became **ORDINANCE NO. 1375**.

BILL NO. 1508 RELATES TO THE CRIME OF "FOLLOWING TOO CLOSELY" (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for the first reading of Bill No. 1508. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1508 was read for the first time.

BILL NO. 1509 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO TO PROHIBIT PARKING ON A PORTION OF TIMBERLAKE MANOR DRIVE (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for the first reading of Bill No. 1509. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1509 was read for the first time.

BILL NO. 1511 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO TO PROHIBIT PARKING ON CHESTERFIELD INDUSTRIAL BOULEVARD (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for the first reading of Bill No. 1511. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1511 was read for the first time.

Finance and Administration Committee

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, announced that Minna Waldmann has been selected at the 1997 Citizen of the Year. Mayor Greenwood will present Mrs. Waldmann with a plaque at the March 2 City Council meeting.

Councilmember Tilley reported that the Committee recommends a change in policy to allow the Mayor and City Council to vote on the nominees for the Citizen of the Year Award, in addition to the Citizen Committee Chairpersons, in future years. A motion was made by Councilmember Tilley, seconded by Councilmember Grosser, to permit the Mayor and City Council to vote on the nominees for the Citizen of the Year Award. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley reported that the Committee voted unanimously to recommend that City Council approve a policy with regard to the illegal posting of temporary signs. The policy would include directions to Staff to notify the utility companies that if the signs are not removed within a couple of days, Staff will remove and destroy signs. These are temporary signs that are not being dealt with in the current in-house policy. In addition, there was a recommendation that if Staff was not available to remove signs, community service workers would be used when possible, as coordinated by the Chief of Police. Letters will be written to first time offenders. On the second offense, pictures would be taken and forwarded to the prosecuting attorney. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, to approve the policy as noted above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that City Administrator Herring contacted the County and State and urged their participation in keeping the County and State right-of-ways free from illegal political signs. A motion was made by Councilmember Tilley, seconded by Councilmember Grosser, to send letters from the City to candidates prior to all local jurisdiction elections reminding them of the City ordinance that does not allow for political signs within City, County and State right-of-ways. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for March 9 at 5:30 p.m.

Councilmember Flachsbart left the meeting at this time.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City has received a liquor license request from Harpo's and Jackie's Place, located at 136 Hilltown Village (formerly Chesterfield's). They are requesting to sell all kinds of liquor by the drink to be consumed on the premises and Sunday sales. This application has been reviewed and approved by the Police and Planning Departments. A motion was made by

Councilmember Politte, seconded by Councilmember Grosser, to approve the liquor license for Harpo's and Jackie's Place. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought for consulting services related to the award of a grant by the St. Louis-Jefferson Solid Waste Management District. The grant provides \$15,000 for the full funding of the consultant selected. Based upon the information provided, Mr. Herring joined with Assistant City Engineer Bonnie Hubert, Director of Public Works/City Engineer Mike Geisel and Director of Finance and Administration Jan Hawn in recommending approval of the proposal submitted by Alpha EnviroScience Corporation, at a cost not to exceed \$14,989. A motion was made by Councilmember Grosser, seconded by Councilmember Brown, to approve the bid for consulting services submitted by Alpha EnviroScience Corporation, at a cost not to exceed \$14,989. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were solicited by Staff for the provision of inspection services in conjunction with street reconstruction projects proposed for 1998, and funded by proceeds generated by the passage of Propositions "R" and "S." Having reviewed this information, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel and Director of Finance and Administration Jan Hawn in recommending approval of the proposals submitted by Professional Service Industries, Midwest Engineering Services and Phillips Environmental. He further recommended that authorization be given to contract with these firms in an aggregate amount not to exceed \$150,000, which is well below the budget established for this account for calendar year 1998, which totaled \$250,000. A motion was made by Councilmember Politte, seconded by Councilmember Grosser, to approve the proposals submitted by Professional Service Industries, Midwest Engineering Services and Phillips Environmental, at a cost not to exceed \$150,000, for street reconstruction projects proposed for 1998. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 1512 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN FAIRFIELD SUITES, CHESTERFIELD RIDGE CENTER AND EAGLE CREST ESTATES LOCATED WITHIN THE CITY OF CHESTERFIELD (FIRST AND SECOND READING - PUBLIC WORKS/PARKS COMMITTEE)

A motion was made by Councilmember Streeter, seconded by Councilmember Hurt, for the first reading of Bill No. 1512. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1512 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Hurt, for a second reading of Bill No. 1512. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1512 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1512, with the following results: Ayes - Flachsbar, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown.

Nays - None. Whereupon Mayor Greenwood declared Bill No. 1512 approved, passed it and it became **ORDINANCE NO. 1376**.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1505 AMENDS ST. LOUIS COUNTY ORDINANCE NO. 9865, AS AMENDED BY ST. LOUIS COUNTY ORDINANCE NO. 13,726 AND REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 2019 AND APPROVES A NEW AMENDED ORDINANCE RELATING TO AN “M-3” PLANNED INDUSTRIAL DISTRICT; NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, WEST OF GODDARD AVENUE (P.C. 86-80, MURPHY COMPANY MECHANICAL CONTRACTORS AND ENGINEERS – SPIRIT 40 PARK) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Streeter, for the first reading of Bill No. 1505. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1505 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Streeter, for a second reading of Bill No. 1505. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1505 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1505, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1505 approved, passed it and it became **ORDINANCE NO. 1377**.

BILL NO. 1507 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1312 FOR A NEW AMENDED ORDINANCE RELATING TO AN “M-3” PLANNED INDUSTRIAL DISTRICT; SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST AND WEST OF SPIRIT OF ST. LOUIS BOULEVARD (P.Z. 20-97, CHESTERFIELD MEMORIAL BUILDING ASSOCIATION – AMERICAN LEGION/SPIRIT AIRPORT) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Streeter, for the first reading of Bill No. 1507. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1507 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Streeter, for a second reading of Bill No. 1507. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1507 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1507, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Politte, Tilley and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1507 approved, passed it and it became **ORDINANCE NO. 1378**.

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Politte, seconded by Councilmember Brown, 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 7:55 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk