

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, FEBRUARY 3, 1992

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Jack Leonard	None
Councilmember Betty Hathaway	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Jade Gardner Bute	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Cub Pack #803 from Shenandoah Valley School: Greg Bowne, Jeff Candela, John Dugger, Keith Fenter, Jimmy Lanning, Ian Lewis, Jason Lima, Richard Lu and Jeff Tandler. Also in attendance was Troop Leaders Christie Lanning, Jann Bowne, David Lewis and Paul Lima.

Reverend Ralph Green from Antioch Baptist Church led the City Council in prayer.

The minutes of the January 6, 1992, meeting were submitted for approval. A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Ms. Judy LeDoux, who resides at 14933 Appalachian Trail, thanked the Chesterfield Police Department for their support and visibility due to the recent burglaries committed in the Shenandoah Subdivision. In addition, Ms. LeDoux stated that she, as well as many of her neighbors, had

received telephone calls regarding a phone survey. She further stated that these individuals conducting the survey would not give their name or any information about the firm directing the survey. At the end of the survey, callers were asked for whom they would vote concerning the upcoming municipal election in Ward II. Ms. LeDoux said she and her neighbors would have appreciated knowing more information about the callers and the firm conducting this phone survey. Councilmember Hurt expressed his concern and urged that caution be taken on any kind of phone survey.

Mr. G. C. Hamilton, who resides at 1663 Wishwood Court, expressed his concern with the phone survey which has been conducted recently. Mrs. Hamilton addressed the Council with her concerns regarding this same subject.

Both Mayor Leonard and Councilmember Bute, Ward II, commented that neither the City nor Councilmember Bute had commissioned this survey.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard presented two (2) Proclamations: one (1) to the Chesterfield Police Department and one (1) to the Chesterfield Fire Protection District in recognition of National Police Officers and Firefighters Week.

Mayor Leonard next presented two (2) Student Recognition Certificates to students from the Parkway School District for their achievements. Kim Fenter and Anthony Wingrove were the recipients of these certificates.

Mayor Leonard next recognized Councilmember Bute who announced that "Cultural Treasures of Chesterfield", which includes an exhibit of official olympic artworks featuring Chesterfield artist Don Wiegand and a Kammergild Chamber Orchestra Concert, has been scheduled for Saturday, February 15, 1992. On Sunday, February 16, 1992, a program has been scheduled featuring children's author Walter Dean Myers. These programs will be held at the West County YMCA.

Councilmember Politte next reported on Scout Day scheduled for February 18, 1992. Boy Scouts and Girl Scouts will "shadow" elected and non-elected officials at the Government Center. The students will then attend the Work Session and City Council meeting. This program should provide a good insight to the students as to the functioning of the City government. This event was coordinated by Vicky Neil, Recreation Activities Coordinator, and the Parks, Recreation and Arts Citizens Advisory Committee.

Mayor Leonard next announced that the Government Center would be closed on Monday, February 17, 1992, in observance of President's Day. The City Council meeting, which normally would have been held on February 17 has been scheduled for Tuesday, February 18, 1992, at 7:00 P.M.

COUNCIL COMMITTEE REPORTS

Planning/Economic Development

Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, reported that efforts were currently underway by the St. Louis County Municipal League for establishment of traffic generation assessments on a County-wide basis. It was noted that an item which may need to be pursued further is a study to identify street problems within the community. Such a study is beyond the scope of the current Road Conditions Study. City Attorney Doug Beach has been requested to provide clarification with regard to legal issues, particularly the need for a vote to establish trust fund areas.

Councilmember Hathaway next reported that Jerry Duepner, Director of Planning/Economic Development, attended a meeting with representatives from the Chamber of Commerce with regard to sign regulations. The Chamber had sent out a brief questionnaire to its members concerning the sign ordinance. The Ordinance Review Committee of the Planning Commission is still in the process of reviewing possible amendments to the Sign Regulations and will evaluate the results obtained by the Chamber of Commerce.

Councilmember Hathaway next reported that a policy has been established with regard to revisions of Planning Commission's recommended conditions for rezonings and special procedures by the Planning/Economic Development Committee. City Attorney Beach clarified the vote necessary to revise conditions. The policy states that if the Planning/Economic Development Committee votes to revise conditions recommended by the Planning Commission on rezonings and special procedures, a separate set of conditions reflecting the revision(s) is to be prepared and submitted to the City Council for consideration. The Bill submitted to the Council on the matter would reflect the recommended conditions of the Planning Commission and this Bill will be posted prior to the meeting. Action by City Council would then be to vote on conditions recommended by the Planning/Economic Development Committee, which would require a simple majority vote of Council. If the PED conditions are approved by a majority of the Council, the Council would then vote on the Bill with those conditions attached thereto. If conditions recommended by the Planning/Economic Development Committee do not receive a majority vote, then the Council will vote on the recommendation of the Planning Commission.

Councilmember Hathaway next reported that there are two (2) trust funds involved with the Sverdrup Development (Timberlake Office Park). One is controlled by the St. Louis County Highway Department (the Highway 40 Corridor Trust fund); the other, Timberlake Manor Parkway Trust Fund, would be controlled by the City of Chesterfield. Councilmember Hathaway stated that the Committee voted unanimously to direct Staff to approach St. Louis County Department of Highways and Traffic to determine the amount of funds which will be generated by the Trust Fund, and the amount in the Timberlake Manor Trust Fund. In addition, Staff is directed to review and prepare comments on items that the City may wish to consider for utilization of these trust funds. Finally, the City Attorney is to research possible limitations on the use of the Trust Fund, and the

liability which the City could incur in taking over responsibility for the cemetery. Staff is to continue to work with the developer and Union Electric to keep a relocated electric line out of the 120 foot buffer area.

Councilmember Hathaway announced that the Comprehensive Plan Committee for the Planning Commission has scheduled a meeting, February 5, 1992, at 7:00 P.M., to meet with residents/businesses of the newly annexed area, with regard to the updating of the Comprehensive Plan.

Councilmember Hathaway next announced that a meeting has been scheduled for February 13, 1992, for the purpose of reviewing the proposed documents to establish the Chesterfield Community Development Corporation.

Councilmember Hathaway announced that the next meeting of this Committee has been scheduled for February 5, 1992, at 5:30 P.M.

Councilmember Hathaway next reported that Bills #653 and #654 will be considered for adoption under the Legislation portion of the agenda.

Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, reported that Director of Public Works/City Engineer Bill Hawn has reviewed the stormwater problem at 1901 -1907 Buckingham and proposed a pipe rerouting solution with a cost estimate of \$20,000, based on outside contracting. It was noted that City Attorney Doug Beach has explained the issue of stormsewer maintenance and indicated the responsibility of the City to address this situation. The Committee voted unanimously to recommend that the design be completed and the project funded from the Contingency Fund. With this in mind, a motion was made by Councilmember Bute, seconded by Councilmember Politte, to proceed with this project at a cost of \$20,000. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Funding for this project is to be transferred from the Contingency Fund.

Councilmember Bute next stated that additional discussion was needed concerning a stormwater situation at 15062 Old Clarkson Road. A motion was made by Councilmember Tilley, seconded by Councilmember Bute, to table this matter for further review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that Bill #'s 650, 651, 657 and 658 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Bute next reported that Environmental Industries has agreed to extend the City's solid waste collection program and associated costs to their customers in the newly-annexed area,

even though State Law gives them two (2) years to do so. In addition, Councilmember Bute stated that the cost for special yard-waste collection by Environmental Industries is \$1.00 per bag or bundle of limbs, with a \$10.00 minimum charge per pick-up. This would apply to those residents City-wide who decide to drop the yard-waste option and only need periodic collection services.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for February 6, 1992, at 7:30 A.M.

Councilmember Bute next reported that the Committee voted unanimously to recommend that City Council hold a special meeting to discuss the issue of stormwater. However, in view of the fact that City Attorney Beach is in the process of reviewing the City's liability/responsibility with regard to the stormwater issue and that the Public Works Citizen Advisory Group was reviewing same, City Council voted unanimously in the Work Session to postpone the scheduling of a special Council meeting until the findings from the City Attorney and the Public Works Citizen Advisory Group can be reviewed.

Councilmember Bute next reported that Bill #652, #655 and #656 will be considered for adoption under the Legislation portion of the agenda. Bill #655 deals with the granting of a twenty-year franchise to Union Electric. Bill #656 pertains to the placement of this proposed proposition on the April 7, 1992, ballot. Councilmember Linda Tilley suggested that the voters need to be informed regarding to this proposed proposition. As a result, a motion was made by Councilmember Tilley, seconded by Councilmember Hathaway, to publish an article provided by Union Electric, explaining the facts with regard to the proposition, in the next issue of the Chesterfield Citizen newsletter. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Bute further stated that Union Electric has agreed to pay all costs for this item to appear on the ballot.

Public Health and Safety

Councilmember Alan Politte, Chairperson of the Public Health and Safety Committee, reported that Councilmember Susan Clarke informed the Committee that the Drug/Alcohol Abuse Task Force was requesting that the City of Chesterfield provide funding support, totaling \$500, towards expenses associated with the upcoming Drug Awareness Day. The Committee voted unanimously to recommend this funding. A motion was made by Councilmember Politte, seconded by Councilmember Clarke, to provide funding support in the amount of \$500 to the Drug/Alcohol Abuse Task Force for their sponsorship of Drug Awareness Day. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that the Committee voted unanimously to authorize participation in the St. Louis County Police Department Street Gang Unit by the Chesterfield Police Department. There will be no cost to the City.

Councilmember Politte next reported that United Video Cablevision has donated \$550 to the Chesterfield Police Department, as a result of United Video's special installation offer to new customers. Chief of Police Ray Johnson suggested that these funds be used to purchase DARE signs for placement on all City limit signs at the entrance of the City of Chesterfield. Councilmember Politte stated that the Committee voted unanimously to authorize expenditure of these funds for this purpose. Councilmember Bute stated that Chesterfield will be the first City in the nation to mount DARE signs on City Limit signs. Permission is presently being sought from the State and County Highway Departments to erect these signs along their roadways.

Councilmember Politte next reported that Bill #658 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 10, 1992, at 12:00 Noon.

Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that enrollment in the Section 125 Benefit Plan has increased from twenty-three (23) employees to twenty-nine (29) for medical expenses and from three (3) employees to five (5) for dependent care expenses. As a result, the City of Chesterfield will realize a savings of approximately \$7,902 in FICA taxes.

Councilmember Tilley next reported that the Retirement Plan Board of Trustees have decided to offer a choice of investment options for all employees participating in the Retirement Plan. Informational meetings for employees will be scheduled in the near future. Councilmember Tilley also reported that the Board of Trustees voted unanimously to recommend that the City increase the contribution level for the Retirement Plan from 6% to 7%. Cost of increasing this contribution would be an increase of \$34,000 per year. If this proposal were not acceptable, it was suggested the City assume payment of administrative fees on behalf of all employees participating in the Retirement Plan. The cost to the City for assuming the administrative fees would be \$2,040 per year. The Finance and Administration Committee voted unanimously not to approve either of these recommendations. Councilmember Tilley indicated that City Council had approved this recommendation during the Work Session.

Councilmember Tilley next reported that the next issue of the Chesterfield Citizen newsletter is scheduled for delivery around the end of March, 1992, to all residents and businesses. She stated that additional articles will be added containing information on upcoming recreational programs and the Chesterfield Citizens for the Environment Committee.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for

February 10, 1992, at 7:30 A.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that a request for a liquor license, due to a change in ownership, has been received from Mobil Mart, located at 14905 Clayton Road. The liquor license request is to sell beer only in the original packages, not to be consumed on the premise where sold. Chief of Police Ray Johnson and Director of Planning/Economic Development Jerry Duepner have reviewed and approved the application. A motion was made by Councilmember Tilley, seconded by Councilmember Bute, to approve issuance of the liquor license. A voice vote was taken with an affirmative result (Councilmember Hathaway voted "no") and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of office supplies from several different vendors. The best and lowest bid was submitted by American Loose Leaf. Mr. Herring joined with Finance Director Jan Hawn in recommending that the contract for the purchase of office supplies be awarded to American Loose Leaf. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to award the contract to American Loose Leaf for the purchase of office supplies. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next announced that the Government Center will be closed on Monday, February 17, 1992, in observance of President's Day. The City Council meeting will take place Tuesday, February 18, 1992, at 7:00 P.M.

NEW BUSINESS

Mayor Jack Leonard placed the name of Doris Frazier in nomination for re-appointment for a three (3) year term on the Human Rights Commission. A motion was made by Councilmember Hathaway, seconded by Councilmember Politte, to accept this nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Frazier's term will expire March 6, 1995.

LEGISLATION

BILL #650 REPEALS ORDINANCE #613 AS IT RELATES TO COMMERCIAL AND PRIVATE CONSTRUCTION; OPERATION OF HEAVY EQUIPMENT AND IMPLEMENTING A NEW ORDINANCE THEREON

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #650. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #650 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #650. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #650 was read for the second time. A roll call vote was taken for passage and approval of Bill #650, with the following results: Ayes - Hathaway, Greenwood, Bute, Hurt, Politte, and Tilley. Nays - Clarke and Hrabko. Whereupon Mayor Leonard declared Bill #650 approved, passed it and it became ORDINANCE #642.

BILL #651 AMENDS ORDINANCE #541 SECTION 3(B) [CODE SECTION 25-42] AS IT RELATES TO APPLICATION FOR LICENSE FOR WASTE TRANSPORTATION VEHICLE OR MOBILE WASTE CONTAINER; DELETING SECTION 3 (C) [CODE SECTION 25-43] IN ITS ENTIRETY AS IT RELATES TO APPLICATION FOR LICENSE FOR WASTE HAULING; DELETING SECTION 3 (J) [CODE SECTION 25-50] IN ITS ENTIRETY AS IT RELATES TO WASTE HAULERS RECYCLABLE, SEWAGE, SLUDGE, HUMAN EXCREMENT, SPECIAL HAZARDOUS OR INFECTIOUS WASTE TO BE BONDED; AMENDING SECTION 3 (L) [CODE SECTION 25-52] AS IT RELATES TO WASTE AND RECYCLABLE HAULERS TO POST PERFORMANCE BOND; ADDING SECTION 3 (U) AS IT RELATES TO THE ADHERENCE TO THE RULES AND REGULATIONS OF THE CITY OF CHESTERFIELD REGARDING SOLID WASTE; AND AMENDING SECTION 4 [CODE SECTION 25-61] AS IT RELATES TO WASTE PICKUP

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #651. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #651 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #651. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #651 was read for the second time. A roll call vote was taken for passage and approval of Bill #651, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #651 approved, passed it and it became ORDINANCE #643.

BILL #652AMENDS ORDINANCE #35, SCHEDULE IV, OF THE ORDINANCES OF THE
CITY OF CHESTERFIELD BY ADDING A PROVISION
THERETO

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #652. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #652 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #652. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #652 was read for the second time. A roll call vote was taken for passage and approval of Bill #652, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #652 approved, passed it and it became ORDINANCE #644.

BILL #655GRANTS FOR A PERIOD OF TWENTY (20) YEARS TO UNION ELECTRIC COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE, RIGHT, PERMISSION AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, EXCAVATE FOR, PLACE, MAINTAIN, OPERATE, AND USE ITS POLES, TOWERS, WIRES, CONDUITS, CONDUCTORS, MANHOLES, UNDERGROUND VAULTS, AND OTHER EQUIPMENT, AND APPLIANCES IN CONNECTION THEREWITH, IN, ALONG, ACROSS, OVER AND UNDER THE STREETS, ROADS, ALLEYS, SIDEWALKS, SQUARES, BRIDGES, AND OTHER PUBLIC PLACES IN THE CITY OF CHESTERFIELD AND AREAS DEDICATED TO THE CITY FOR PUBLIC UTILITY USE, FOR THE PURPOSE OF TRANSMITTING, FURNISHING AND DISTRIBUTING ELECTRICITY FOR LIGHT, HEAT, POWER AND OTHER PURPOSES WITHIN AND THROUGH SAID CITY, PRESCRIBING THE TERMS AND CONDITIONS OF SUCH GRANT, IMPOSING CERTAIN OBLIGATIONS UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, SUCCESSIVELY, IN CONNECTION THEREWITH, AND PROVIDING THAT THIS ORDINANCE SHALL NOT BE EFFECTIVE UNLESS AND UNTIL SUCH GRANT BE APPROVED BY MAJORITY OF THE VOTERS OF THE CITY AT AN ELECTION

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #655. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #655 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #655. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #655 was read for the second time. A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to amend Bill #655, Section 10, to read as follows: "The granting of this franchise shall not restrict regulation of Union Electric facilities within the City by applicable provisions of the Zoning Ordinance, Subdivision Ordinance and other applicable ordinances of the City of Chesterfield." A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #655 as amended, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #655 approved, passed it and it became ORDINANCE #645.

BILL #656 PROVIDES FOR THE HOLDING OF AN ELECTION IN THE CITY OF CHESTERFIELD, MO ON TUESDAY, THE 7TH DAY OF APRIL, 1992, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF SAID CITY THE PROPOSITION OF THE RATIFICATION OR REJECTION OF A FRANCHISE GRANTED TO UNION ELECTRIC COMPANY BY THE CITY BY ORDINANCE APPROVED ON THE 3RD DAY OF FEBRUARY, 1992, FOR THE USE BY SAID COMPANY OF THE STREETS, ROADS, ALLEYS, SIDEWALKS, AND OTHER PUBLIC PLACES OF THE CITY FOR A PERIOD OF TWENTY (20) YEARS FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY; PROVIDING FOR THE FORM OF BALLOT TO BE USED AT SAID ELECTION

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #656. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #656 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #656. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #656 was read for the second time. A roll call vote was taken for passage and approval of Bill #656, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #656 approved, passed it and it became ORDINANCE #646.

BILL #657 PERTAINS TO THE ACCEPTANCE OF CHESTERFIELD ESTATES DRIVE, RIVERDALE DRIVE, RIVERDALE CIRCLE AND CHESTERFIELD ESTATES COURT AS PUBLIC STREETS

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #657. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #657 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for a second reading of Bill #657. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #657 was read for the second time. A roll call vote was taken for passage and approval of Bill #657, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #657 approved, passed it and it became ORDINANCE #647.

BILL #658 REPEALS ORDINANCE #66 AND CREATES A NEW ORDINANCE
ESTABLISHING THE OFFENSE OF PEACE DISTURBANCE
AND SETTING THE PUNISHMENT FOR VIOLATIONS
THEREOF

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill #658. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #658 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Clarke, for a second reading of Bill #658. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #658 was read for the second time. A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to amend Bill #658, by repealing Sections 1 and 2 and adding new Sections 1 and 2. A roll call vote was taken for passage and approval of Bill #658, as amended, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, and Tilley. Nays - Hrabko. Whereupon Mayor Leonard declared Bill #658 approved, passed it and it became ORDINANCE #648.

LEGISLATION - PLANNING COMMISSION

BILL #653 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR HUGO ESSEN FARM
SUBDIVISION (WELLESLEY PLACE AND BROEKER
PROPERTY)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #653. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #653 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #653. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #653 was read for the second time. A roll call vote was taken for passage

and approval of Bill #653, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #653 approved, passed it and it became ORDINANCE #649.

BILL #654 APPROVES THE RECORD PLAT, TRUST INDENTURE, WARRANTY DEED AND
ESCROW AGREEMENT FOR THE WELLESLEY PLACE
SUBDIVISION (P.Z. 15 & 16-91, PREMIER HOMES, INC.)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #654. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #654 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #654. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #654 was read for the second time. A roll call vote was taken for passage and approval of Bill #654, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #654 approved, passed it and it became ORDINANCE #650.

ADJOURNMENT

A motion was made by Councilmember Politte, seconded by Councilmember Greenwood, 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 8:05 P.M. A motion was then made by Councilmember Bute, seconded by Councilmember Clarke, to go into Executive Session for the purpose of discussing litigation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Jack Leonard _____

ATTEST:

Martha L. DeMay, City Clerk