RECORD OF PROCEEDING

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

JANUARY 7, 2002

The meeting was called to order at 7 p.m.

A roll call was taken with the following results:

PRESENT	ABSENT
Mayor John Nations	None
Councilmember Barry Flachsbart	
Councilmember Jane Durrell	
Councilmember Barry Streeter	
Councilmember Bruce Geiger	
Councilmember Dan Hurt	
Councilmember Mike Casey	
Councilmember Mary K. Brown	
Councilmember Charles Scheidt	

The Pledge of Allegiance was led by Girl Scout Troop #4500 from Central Middle School and Girl Scout Troop #982 from Shenandoah Valley: Monica Streeter, Haley Hume, Mia Kweskin, Nicola Crabtree, Hannah Wisnewski, Sydelle Tockman, Danielle Feinstein and Tally Portnoi. Also in attendance were Troop Leaders Dolly Streeter, Carla Hume and Julie Tockman.

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

APPROVAL OF MINUTES

The minutes of the December 3, 2001, City Council meeting were submitted for approval. Councilmember Casey made a motion to approve the City Council minutes. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations announced that the Government Center would be closed Monday, January 21 in observance of the Dr. Martin Luther King, Jr. Birthday holiday. The next City Council meeting has been scheduled for Wednesday, January 23.

COMMUNICATIONS AND PETITIONS

Jeff Chaney, who resides at 2048 Parasol Drive, supported the need for legislation with regard to the "appearance code," which will assist Trustees of subdivisions to monitor the appearance of their neighborhoods.

Mike Doster, 16476 Chesterfield Airport Road, attorney for the petitioner, supported P. Z. 35-2000, McBride & Sons.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Jane Durrell, Chairperson of the Finance and Administration Committee, reported that the Committee at its last meeting supported the FY2002 Budget as presented in the Public Hearing, December 3, 2001, and adopted by City Council. In addition, the Committee recommended Staff to pursue issuing quarterly financial reports for the year 2002.

Councilmember Durrell announced that the next meeting of this Committee has been scheduled for February 27 at 5:30 p.m.

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that Bill No. 2032, regarding the adoption of new policies and procedures for the Sewer Lateral Repair Program, will be read for the first time and Bill No. 2033, regarding the installation of fire hydrants on Turbine Drive, will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Streeter next reported that in an effort to be consistent with the Parks Division Fees and Charges Policy, as adopted by City Council, a recommendation has been made to adjust the fees and policies for the Swim and Dive Teams for the 2002 season. Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, to approve the adjustment in fees and policies for the Swim and Dive Teams for the 2002 season. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A copy of the change in fees and policy is attached to these minutes.

Councilmember Streeter next reported that due to the fact that the Pavilion at Central Park has not been utilized as originally anticipated, the Division of Parks Recreation and Arts is recommending an amendment to the current Pavilion Usage Policy to attract businesses and non-residents to rent the facility. Councilmember Streeter made a motion, seconded by Councilmember Geiger, to approve the changes in the Pavilion Usage Policy. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A copy of the changes is attached to the minutes.

Councilmember Streeter next reported that Staff has been working with various organizations and associations over the past months in an effort to bring tournaments to the Chesterfield Valley Athletic Complex for the year 2002. This additional revenue will assist in offsetting the operating expenses. A contract has been signed with the American Amateur Youth Baseball Alliance (AAYBA) to bring their World Series Tournaments to the CVAC for the weeks of July 14 – 20 and July 22 – 27, 2002. Councilmember Streeter made a motion, seconded by Councilmember Brown, to authorize the City Administrator to sign a contract with the American Amateur Youth Baseball Alliance for use of the CVAC in the summer of 2002. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The contract is attached to these minutes.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for January 14 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of Public Health and Safety Committee, reported that Bill No. 2029, which authorizes the assessment and collection of various court costs, will be considered for adoption under the "Legislation" portion of the agenda.

Councilmember Casey announced that the next meeting of this Committee has been schedule for January 15 at 5:30 p.m.

Planning and Zoning Committee

Councilmember Charles Scheidt, Chairperson of the Planning and Zoning Committee, moved to hold P.Z. 43-1999, SSM Women's Health Care Central Region until the February 4 City Council meeting. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart next made a motion, seconded by Councilmember Scheidt, to hold Bill No. 2035, P.Z. 35-2000, McBride & Sons until the January 23 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Scheidt next reported that Bill No. 2036 (approves the record plat for Eagle Crest Estates, Plat 2), Bill No. 2037 (approves the record plat for Tower Center)

and Bill No. 2038 (approves the vacation of easement of Lot 3 in Upper Kehrs Mill Subdivision) will be considered for adoption under the "Legislation – Planning Commission" portion of the agenda.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that on several different occasions, the City of Chesterfield has passed resolutions to reimburse itself for capital expenditures, which are to be paid by the issuance of bonds, if those present are actually undertaken before the debt is issued. With the adoption of Resolution No. 280, the City can move forward with capital improvements, as needed, within the TIF District, even though bonds will not be issued until a later date. Councilmember Geiger made a motion, seconded by Councilmember Brown, to adopt Resolution No. 280. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that a liquor license request has been received from The Sports Page, located at 13431 Olive Boulevard, to sell liquor by the drink on Sunday. They currently have a full liquor license in effect. Councilmember Casey made a motion, seconded by Councilmember Scheidt, to approve issuance of the Sunday license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that a liquor license request has been received from Red Robin Gourmet & Spirits, located at 17308 Chesterfield Airport Road, to sell all kinds of liquor by the drink for consumption on the premises and Sunday sales. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve issuance of a full liquor license and Sunday sales to Red Robin. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

City Attorney Doug Beach reported Bill No 2034, which amends the City's code regarding telephone service and exchange telephone service, will be read for the first time under the "Legislation" portion of the agenda.

LEGISLATION

BILL NO. 2029 PROVIDES AUTHORIZATION FOR THE MUNICIPAL COURT OF THE CITY OF CHESTERFIELD TO COLLECT ALL COSTS ASSESSED AS A RESULT OF STATUTES ENACTED BY THE MISSOURI GENERAL ASSEMBLY TO INCLUDE, BUT NOT LIMITED TO, COLLECTIONS FOR THE CRIME VICTIMS COMPENSATION FUND BY THE STATE OF MISSOURI (SECTION 595.045 RSMo 2000); COLLECTIONS FOR THE SPINAL CORD INJURY FUND PURSUANT TO SECTION

304.027 RSMo; COSTS FOR THE TRAINING OF LAW ENFORCEMENT OFFICERS WITHIN THE CITY OF CHESTERFIELD; AND FOR SHELTERS FOR BATTERED PERSONS AS PROVIDED BY STATE STATUTE AND AUTHORIZING THE AUTOMATIC INCREASE OF SAID COSTS TO COINCIDE WITH ANY FUTURE INCREASES MADE BY THE MISSOURI GENERAL ASSEMBLY ON ANY SPECIFIC COSTS TO BE PAID AS PROVIDED BY STATE LAW (**PUBLIC HEALTH AND SAFETY COMMITTEE – SECOND READING**)

Councilmember Casey made a motion, seconded by Councilmember Streeter, for a second reading of Bill No. 2029. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2029 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2029, with the following results: Ayes – Brown, Casey, Geiger, Flachsbart, Scheidt, Streeter, Durrell, and Hurt. Nays - None. Whereupon Mayor Nations declared Bill No. 2029 approved, passed it and it became **ORDINANCE NO. 1809**.

BILL NO. 2032 ESTABLISHES THE POLICY RELATIVE TO THE RESIDENTIAL SANITARY SEWER LATERAL AND REPAIR PROJECTS OF THE CITY OF CHESTERFIELD AS TO ELIGIBILITY, APPLICATION, REVIEW, REPAIR AND COST EXPENDITURES (**PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL – FIRST READING**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2032. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.2032 was read for the first time.

BILL NO. 2033 APPROVES THE INSTALLATION OF A FIRE HYDRANT ON TURBINE AVENUE, LOCATED WITHIN THE CITY OF CHESTERFIELD (**PUBLIC WORKS/PARKS COMMITTEE – FIRST AND SECOND READINGS**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 2033. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2033 was read for the first time.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 2033. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2033 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2033, with the following results: Ayes - Streeter, Hurt, Durrell, Scheidt, Flachsbart, Casey, Brown and Geiger.

Nays - None. Whereupon Mayor Nations declared Bill No. 2033 approved, passed it and it became **ORDINANCE NO. 1810.**

BILL NO. 2034 AMENDS ORDINANCE NO. 123, SECTION 27-1 OF THE CITY OF CHESTERFIELD MUNICIPAL CODE, RELATING TO TELEPHONE SERVICE OR EXCHANGE TELEPHONE SERVICE AND TELEGRAPH COMPANIES, BY ENACTING THEREIN A NEW SECTION TO BE KNOWN AS "TELEPHONE SERVICE, EXCHANGE TELEPHONE SERVICE DEFINED;" CONTAINING A SAVING CLAUSE (**CITY ATTORNEY RECOMMENDS APPROVAL – FIRST READING**)

Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 2034. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2034 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2036 PROVIDES FOR THE APPROVAL OF THE 16.20 ACRE RECORD PLAT, ESCROW AGREEMENT, WARRANTY DEED AND TRUST INDENTURES FOR EAGLE CREST PLAT 2 SUBDIVISION, AND "R-1" RESIDENTIAL DISTRICT LOCATED ON THE SOUTH SIDE OF WILDHORSE CREEK ROAD AND WEST OF THE INTERSECTION OF WILSON AND WILDHORSE CREEK ROAD (**PLANNING COMMISSION RECOMMENDS APPROVAL – FIRST AND SECOND READING**)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2036. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2036 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2036. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2036 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2036, with the following results: Ayes - Casey, Brown, Geiger, Scheidt, Hurt, Durrell, Flachsbart and Streeter. Nays - None. Whereupon Mayor Nations declared Bill No. 2036 approved, passed it and it became **ORDINANCE NO. 1811**.

BILL NO. 2037 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR TOWER CENTER, A 4.549 ACRE TRACT OF LAND AS ZONED "PC" PLANNED COMMERCIAL DISTRICT, LOCATED ON LONG ROAD, 1000 FEET SOUTH OF CHESTERFIELD AIRPORT ROAD (**PLANNING COMMISSION**

RECOMMENDS APPROVAL – FIRST AND SECOND READING)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2037. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2037 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2037. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2037 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2037, with the following results: Ayes - Geiger, Hurt, Streeter, Flachsbart, Brown, Casey, Durrell and Scheidt. Nays - None. Whereupon Mayor Nations declared Bill No. 2037 approved, passed it and it became **ORDINANCE NO. 1812.**

BILL NO. 2038 VACATES AN ACCESS EASEMENT ON LOT 3 OF UPPER KEHRS MILL SUBDIVISION, LOCATED ON KEHRS MILL ROAD (**PLANNING DEPARTMENT STAFF RECOMMENDS APPROVAL – FIRST AND SECOND READING**)

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2038. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2038 was read for the first time.

Councilmember Scheidt made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2038. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2038 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2038, with the following results: Ayes - Streeter, Casey, Geiger, Durrell, Hurt, Scheidt, Flachsbart and Brown. Nays - None. Whereupon Mayor Nations declared Bill No. 2038 approved, passed it and it became **ORDINANCE NO. 1813.**

ADJOURNMENT

Councilmember Flachsbart made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:50 p.m.

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Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk