RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT
922 ROOSEVELT PARKWAY, DECEMBER 7, 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 Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Mark Massey, Alex Newberry, Andrew Olejarczyk, David Durand and Doug Durand. Also in attendance was Troop Leader Michael Newberry.

Reverend Robert Hermann from Incarnate Word Catholic Church led the City Council in prayer.

The minutes of the November 16, 1992, meeting was submitted for approval. A motion was made by Councilmember Hurt, 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

Mr. Frank S. Purviance II, who resides at 26 Forest Crest Drive, expressed his opposition to the adoption of Bill #750, with regard to the acceptance of Forest Crest Drive as a public street, until the developer fulfills the obligation of repairing the private roadway in the Enclave of Green Trails.

Mr. Ed Neel, who resides at 10521 St. Charles Rock Road, represented Legacy Homes, Inc., and expressed his concern with regard to the involvement of Vatterrott and the escrow concerning the private roadway located in the Enclave of Green Trails.

INTRODUCTORY REMARKS

Mayor Jack Leonard stated that today is Pearl Harbor Day and requested that everyone remember this historical day.

Mayor Leonard next placed the name of Ted Liebig in nomination to fill an unexpired term as a member of the Board of Police Commissioners. A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley, to appoint Mr. Liebig to this position. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Linda Tilley congratulated Parkway Central Senior High School football team on their recent achievement by placing second in the State Championship Class 5A title.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Betty Hathaway, Chairperson of the Planning and Zoning Committee, reported that Bill #756 will be read for the first time only under the Legislation portion of the agenda, due to the fact that the developer has requested additional time prior to the final adoption of Bill #756. Bill #757 will be considered for adoption under the Legislation portion of the agenda. Bill #753 and #754, regarding western annexation, have been combined into one bill, Bill #753, and will be considered for adoption under the Legislation portion of the agenda. Bill #758 has been referred to the Planning and Zoning Committee.

Councilmember Hathaway announced that the next meeting of her Committee has been scheduled for December 9, 1992, at 5:45 P.M.

Public Health and Safety Committee

Councilmember Susan Clarke, Chairperson of the Public Health and Safety Committee, announced that the next meeting of her Committee has been scheduled for January 6, 1993, at 12:00 Noon.

Finance and Administration Committee

Councilmember Dan Hurt, Chairperson of the Finance and Administration Committee, introduced Resolution #122, with regard to the proposed FY1993 Budget. Councilmember Hurt stated that revenues are projected to total 9,308,000, which represents a 6.4% increase over FY1992. Expenditures (operating and capital improvements) are projected to total $9,175,862, which represents an increase of 8.2% over FY1992; however, operating expenditures, which total $7,633,574, will increase less than 1%. The increase in expenditures is due primarily to allocation in FY1993 of $1,542,288 for capital improvement projects. This represents an increase of 76.3%. The difference between total revenues and total expenditures $132,138) will be added to fund reserves, which are estimated to total $3.6 million by December 31, 1993. The total allocated for capital improvement projects ($1,542,288) plus the allocation to fund reserves ($132,138) equals $1,674,426, which represents the amount that total revenues exceed total operating expenses. A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, to approve Resolution #122. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. City Council commended Mr. Herring and Staff to their time and effort in preparing this document and, also, for their being conscious of keeping expenses at a minimum.

Councilmember Hurt announced that the next meeting of his Committee has been scheduled for December 14, 1992, at 5:30 P.M.

Public Works and Parks

Councilmember Dick Hrabko, Chairperson of the Public Works and Parks Committee, announced that the next meeting of his Committee has been scheduled for December 8, 1992, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring recognized City Attorney Doug Beach to discuss the request for a budget transfer. Mr. Beach had previously communicated to City Council that the U.S. Court of Appeals entered a judgement in favor of the City of Chesterfield with regard to the Chesterfield Development Corporation lawsuit. A billing for the City's portion of the total costs ($5,000 deductible) was, apparently, mailed to the wrong address in September, 1992. The City only recently has been provided with a copy of the bill. Consequently, it is necessary to transfer $5,000 from the Contingency Account to the Insurance Expense Account within the budget. A motion was made by Councilmember Hurt, seconded by Councilmember Hathaway, to approve the transfer of $5,000. 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 submitted by Hamby's Southern Style Restaurant, located at 17558 Chesterfield Airport Road, to sell wine and beer and Sunday sales. License fee is $355. The application has been approved by Chief of Police Ray Johnson and Director of Planning Jerry Duepner. A motion was made by Councilmember Hrabko, seconded by Councilmember Clarke, to approve issuance of this liquor license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL #752AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING PROVISIONS THERETO (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a second reading of Bill #752. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #752 was read for the second time. A roll call vote was taken for passage and approval of Bill #752, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #752 approved, passed it and it became ORDINANCE #742.

BILL #753DECLARES THE INTENTION OF THE CITY OF CHESTERFIELD TO ANNEX UNINCORPORATED AREAS OF LAND IN ST. LOUIS COUNTY, MISSOURI OF AN AREA THAT ARE CONTIGUOUS TO THE CITY OF CHESTERFIELD ALONG ITS WESTERN BORDER EXTENDING THE BOUNDARY TO ORRVILLE ROAD AND WEST OF EATHERTON ROAD TO THE MISSOURI RIVER

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for the first reading of Bill #753. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #753 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for a second reading of Bill #753. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #753 was read for the second time. A roll call vote was taken for passage and approval of Bill #753, with the following results: Ayes - Hathaway, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared Bill #753 approved, passed it and it became ORDINANCE #743.

BILL #755REPEALS ORDINANCE #648, SECTIONS 1 AND 2 AND CREATES A NEW ORDINANCE ESTABLISHING THE OFFENSE OF PEACE DISTURBANCE AND SETTING FORTH THE PUNISHMENT FOR VIOLATION THEREOF

(**FIRST READING**)

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #755. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #755 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL #756AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF A "C-8" PLANNED COMMERCIAL DISTRICT TO AN "R-2" 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 3.1 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF LADUE ROAD APPROXIMATELY 1100 FEET EAST OF THE INTERSECTION OF GREEN TRAILS DRIVE AND LADUE ROAD (P.Z. 20-92, LADUE ASSOCIATES)

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for the first reading of Bill #756. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #756 was read for the first time.

BILL #757AMENDS ST. LOUIS COUNTY ORDINANCE 11,559 RELATED TO A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE EAST SIDE OF OLIVE BOULEVARD, SOUTH OF WHITE PLAINS DRIVE (P.C. 54-84, ERIC BLY/ETHAN ALLEN GALLERIES)

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for the first reading of Bill #757. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #757 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, for a second reading of Bill #757. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #757 was read for the second time. A roll call vote was taken for passage and approval of Bill #757, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #757 approved, passed it and it became ORDINANCE #744.

ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, 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 7:40 P.M.

Mayor Jack Leonard

ATTEST:

Martha L. DeMay, City Clerk