



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
OCTOBER 23, 1995

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 Boy Scout Troop #848 from Highcroft Ridge School: Chad Lamprecht, Ryan Crowley, Kalyan Tatineny, Karl Balberra, Adam Prey, Richard Koch, Jamie Lamprecht, David Schwartz and Brian Prater.

Pastor Robert Klein, newly-appointed Police Chaplain from Joy Lutheran Church, led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the October 2, 1995, City Council meeting were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

There were no introductory remarks made.

COMMUNICATIONS AND PETITIONS

Ms. Darcy Capstick, who resides at 2085 Baxter Road, announced the \$85,000 grant to the City of Chesterfield from St. Louis County Department of Health Office.

Councilmember Dan Hurt thanked Ms. Capstick and the Citizens for the Environment Committee for their efforts in securing this grant which will benefit our community. Councilmember Alan Politte also thanked Ms. Capstick and the Committee for their efforts in securing this grant.

Dr. Theo Korakianitis, who resides at 27 Chesterfield Lakes, expressed his concern that a detailed plan or study is needed for commercial development in the eastern area of the Chesterfield Valley, because of its potential impact on the Wild Horse Creek Road residential area. Councilmember Alan Politte stated that the Valley Master Development Plan Committee has been in existence for many years and has broad representation. Several phases of this Master Plan have been completed and are available to the public. Councilmember Dan Hurt reported that the study that Lane Kendig has been working on was stalled for a couple of months, but is still in progress. Councilmember Ed Levinson reported that Public Hearings have also been held regarding the Valley Master Development Plan.

COUNCIL COMMITTEE REPORTS

Public Health and Safety

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, reported that the Committee voted unanimously to recommend that City Council approve the purchase of a S.M.A.R.T. Unit (Speed Monitoring Awareness Radar Trailer) at a cost of \$14,220.00. This amount would be transferred from Contingency Fund to Police Capital Equipment Account. A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to approve the purchase of the S.M.A.R.T. Unit at a cost of \$14,220.00 to be transferred from the Contingency Fund to Police Capital Equipment Account. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert announced that the next meeting of this Committee has been scheduled for November 13, 1995, at 6:30 P.M.

Planning and Zoning

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, announced that the next meeting of this Committee has been scheduled for October 26, 1995, at 5:30 P.M. with a Public Hearing scheduled at 6:00 P.M.

Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, displayed a prototype of the new City Limit signs which will be erected within the next several months.

Councilmember Politte next expressed his thanks to all individuals, especially Mayor Leonard and Councilmember Levinson, who planted 20,000 spring bulbs on the Highway 40 overpass at Chesterfield Airport Road, Saturday, October 14, 1995. He stated that there would be another planting event in the near future.

Councilmember Politte next reported that the Citizens for the Environment Committee submitted an application to the St. Louis County Recycling and Source Reduction Grant on behalf of the City of Chesterfield. Councilmember Politte announced that the City has been approved for \$85,000 in funding. He thanked the Committee for their efforts in this project. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to accept and endorse this \$85,000 grant from St. Louis County. In addition, members of City Council expressed their desire to extend their thanks and appreciation to the Committee and present them with a Proclamation. 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 recommend that City Council approve the immediate hiring an additional Civil Engineer for the Public Works Department. This position has been recommended within the proposed FY1996 Budget. A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, to direct Staff to proceed with the hiring process for this new Civil Engineer position for the Public Works Department. Funds to cover this expense are contained within the current budget. Discussion ensued with regard to reviewing this position and all other employee positions comprehensively during the 1996 Budget review process. A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, to end debate and call for the question. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Streeter, Levinson, Politte. Nays - Hurt, Tilley. The motion was declared defeated, as six (6) votes were required for passage. Debate continued. A roll call vote was ultimately taken on the original motion to hire a Civil Engineer for the Public Works Department with the following results: Ayes - Flachsbart, Hilbert, Levinson, Politte. Nays - Streeter, Hurt, Tilley. The motion was declared passed.

Councilmember Politte stated that the next Committee meeting date has not been scheduled.

Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that the Committee voted unanimously to approve the transfer of the cable franchise from United Video Cablevision to Charter Communications Entertainment I, L. P. of St. Louis, Missouri. Bill #1149 regarding this cable franchise transfer will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley next reported that the Committee had discussed the ballot issue involving billboard licenses scheduled for the November 7, 1995 ballot. The Committee voted unanimously to endorse the mailing of two letters which would be sent to residents and local business groups, prior to the election date and recommended that City Council approve a transfer of \$3,600 from Contingency Fund to cover the cost of the mailing. A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, to approve the mailing regarding the billboard license ballot issue and the transfer of funds totaling \$3,600 from Contingency Fund to cover the cost for the mailing. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that the Committee voted affirmatively to recommend that City Council approve a survey to be conducted by Don Bemis (A. G. Edwards) concerning a 1/2 cent capital improvement sales tax and the City's capital improvement needs, for a cost not to exceed \$4,000. Funds for the survey would be transferred from the Contingency Fund. A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, to approve the survey regarding the 1/2 cent capital improvement sales tax and that \$4,000 in funds be transferred from Contingency to cover the cost of the survey. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that the Committee voted affirmatively to recommend that City Council approve the 1996-1997 Community Development Block Grant application be submitted, assuming \$64,327 in funding with \$54,327 proposed for the Removal of Architectural Barriers program and \$10,000 for the Home Improvement Program; assuming receipt of \$50,229 in funding with \$50,229 for the Removal of Architectural Barriers program solely. A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, to approve the proposed 1996-1997 Community Development Block Grant application. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that the Committee voted affirmatively to recommend that City Council approve the 1995 Budget Adjustment (attached). A motion was made by Councilmember Tilley, seconded by Councilmember Streeter, to approve the 1995 Budget Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that Bill #1134 regarding the Performance Based Incentive Award program will be considered for adoption under the Legislation portion of the agenda. It was noted that no additional dollars needed to be budgeted for this program.

Councilmember Tilley next reported that the Committee voted affirmatively to recommend that City Council approve the 1996 City Council meeting schedule. A motion was made by Councilmember Politte, seconded by Councilmember Flachsbart, to approve the schedule of meetings with the understanding that the September 4, 1996 meeting date would be an optional meeting only if needs dictate the necessity of this meeting. A voice vote was taken with an affirmative result (Councilmembers Hilbert, Levinson and Streeter voting "No") and the motion was declared passed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for November 8, 1995, at 5:30 P.M.

(Councilmember Mike Cullen arrived at this time.)

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for the purchase/installation of a fuel storage/dispensing system in conjunction with construction of the Public Works Maintenance facility. Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel and Finance Director Jan Hawn in recommending approval of the low bid submitted by Neumayer Equipment Company, Inc., totalling \$91,290.00. This bid is consistent with preliminary construction estimates for the overall facility construction, estimated at \$2.5 million. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to approve awarding the bid to Neumayer Equipment Company, Inc., totalling \$91,290.00 for the purchase/installation of a fuel storage/dispensing system. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently received for the furnishing and erection of precast concrete, both architectural and structural, in conjunction with construction of the Public Works Maintenance facility. Mr. Herring joined with Mr. Geisel and Ms. Hawn in recommending approval of the low bid submitted by Ray Gittemeier Construction, totalling \$568,560.00. A motion was made by Councilmember Politte, seconded by Councilmember Flachsbart, to approve awarding the bid to Ray Gittemeier Construction, totalling \$568,560.00 for furnishing and erecting precast concrete in conjunction with construction of the Public Works Maintenance facility. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed.

Mr. Herring next reported that bids were also sought for the purchase of four (4) one-ton trucks, equipped with dump body, snow plow and tailgate salt spreaders. The FY1995 budget contains \$108,000.00 for this purchase; however, the low bid submitted by Elco Chevrolet came in at \$144,996.00 or \$36,996.00 over budget. Both Mr. Geisel and Ms.

Hawn recommend acceptance of the low bid and a transfer from Contingency of the \$36,996.00 shortfall as previously mentioned. Mr. Geisel has analyzed the departmental needs and does not recommend purchasing any less than the proposed four (4) vehicles. Mr. Herring supports this recommendation. A motion was made by Councilmember Flachsbart, seconded by Councilmember Politte, to purchase the four (4) one-ton trucks with dump bodies and equipped with snow plows/salt spreaders and transferring \$36,996.00 from the Contingency Fund to cover the shortfall. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids had been received for the purchase of a financial management software package, as provided for within the 1995 budget. The low bid was submitted by Intellisoft and is being rejected, due to failure to meet various bid specifications. The second low bidder, Executive Focus Group, is being recommended by Ms. Hawn and Data Systems Administrator Jim Michael. The total purchase price for this item equals \$22,290.00. This amount exceeds available funds by \$5,290.00. Ms. Hawn has recommended that the difference of \$5,290.00 be transferred from Contingency to enable purchase of this software management package from Executive Focus Group. Mr. Herring joined with Ms. Hawn in recommending that the bid submitted by Executive Focus Group, totalling \$22,290.00 be approved by City Council and that a transfer of \$5,290.00 from Contingency Fund. A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley, to approve awarding the bid to Executive Focus Group, totalling \$22,290.00 and transferring \$5,290.00 from Contingency Fund to cover the cost of the difference. Some discussion ensued. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Streeter, Hurt, Politte, Cullen, Tilley. Nays - Levinson. The motion was declared passed.

Mr. Herring next reported that Famous-Barr has requested a temporary liquor license to sell all kinds of liquor by the drink, to be consumed at their facility at Chesterfield Mall, on October 29, 1995. The proceeds from their fund raising event will benefit the Butterfly House to be built at Faust Park. A motion was made by Councilmember Levinson, seconded by Councilmember Hurt, to approve issuance of the temporary liquor license to Famous-Barr. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Levinson stated that since the defeat of Bill #1077 regarding the \$1.00 court cost designated to domestic violence shelters, he has acquired additional information and because he had voted against the Bill #1077, requested that City Council suspend the rules to allow this bill to be considered at the next City Council meeting. Normally, defeated legislation cannot be brought back on the agenda until the passage of six (6) months. A motion was made by Councilmember Levinson to suspend the rules to allow consideration of Bill #1077. The motion was seconded by Councilmember Hilbert. A roll call vote was taken with the following results: Ayes - Hilbert, Levinson, Cullen, Tilley. Nays - Flachsbart, Streeter, Hurt, Politte. The Mayor broke the tie vote by voting

"Yes". Bill #1077 will be placed on the November 6, 1995, City Council agenda for consideration.

LEGISLATION

BILL #1134 AMENDS ORDINANCE #217 OF THE CITY OF CHESTERFIELD TO REVISE THE SALARY ADMINISTRATION MANUAL BY DELETING SECTION 5 OF CHAPTER VI AND SUBSTITUTING IN ITS PLACE A NEW SECTION 5 OF CHAPTER VI, FOR INCENTIVE-BASED COMPENSATION AWARDS (FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL - SECOND READING)

A motion was made by Councilmember Tilley seconded by Councilmember Hilbert, for a second reading of Bill #1134. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1134 was read for the second time. A roll call vote was taken for passage and approval of Bill #1134, with the following results: Ayes - Flachsbart, Hilbert, Streeter, Hurt, Politte, and Tilley. Nays - Levinson, Cullen. Whereupon Mayor Leonard declared Bill #1134 approved, passed it and it became **ORDINANCE #1094.**

BILL #1149 GRANTS CONSENT TO THE SALE, TRANSFER AND ASSIGNMENT OF A NON-EXCLUSIVE CABLE FRANCHISE GRANTED TO UNITED VIDEO CABLEVISION, INC. (UNITED) TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE SYSTEM WITHIN THE CITY OF CHESTERFIELD TO CHARTER COMMUNICATIONS ENTERTAINMENT I, L.P. (CHARTER) (FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL - FIRST AND SECOND READINGS)

A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, for the first reading of Bill #1149, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1149 was read for the first time.

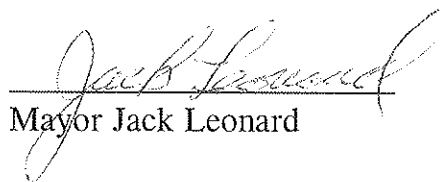
A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, for a second reading of Bill #1149, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1149 was read for the second time. A roll call vote was taken for passage and approval of Bill #1149, with the following

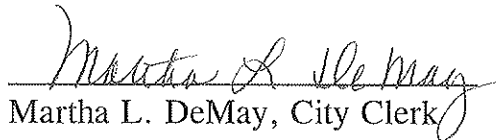
results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1149 approved, passed it and it became **ORDINANCE #1095**.

ADJOURNMENT

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, that the meeting be adjourned to go into Executive Session for the purpose of discussing RSMo 610.021(2) property acquisition and RSMo 610.021(3) personnel matters. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen, Tilley. The motion was declared passed. The meeting was adjourned at 8:05P.M.


Mayor Jack Leonard

ATTEST:


Martha L. DeMay, City Clerk

MEMORANDUM

TO: Michael G. Herring, City Administrator
FROM: Jan Hawn, Finance Director 
DATE: October 13, 1995
SUBJECT: 1995 BUDGET ADJUSTMENT

✓ JGH
10/13/95
SUBMITTED ORIGINALLY
10/3/95 TO FAD
AMENDED AT COMMITTEE
MEETING 10/12/95

As you will recall, each year we make a budgetary adjustment based on the financial reports and the year-end projections made by the individual departments during the budget process. Based on those numbers, I am requesting that the City Council make an adjustment for 1995 to adjust those accounts where the projected expenditures exceed the budgeted amount. In addition, it is necessary to adjust the budget to reflect the revenues and expenditures associated with the FEMA refunds and the COPS Grant. These revised budget figures will be the ones the auditors use to compare our budget to actual at year end.

REVENUES

As noted above, the only revenue accounts that I proposed to adjust are for FEMA refunds and for the COPS Grant. This will increase intergovernmental revenues by \$67,835.00. Also, to offset the additional expenses and to reflect actual receipts, I propose to increase court fines by \$137,300.

EXPENDITURES

Expenditures need to be adjusted to reflect unanticipated expenditures during 1994, as noted below. According to our budget ordinance, department heads can transfer funds to cover overages up to \$5,000. Therefore, only the expenditures that exceed this amount are part of this budget adjustment.

The City Clerk's budget needs to be adjusted due to the additional elections held this year. The elections cost significantly more than expected due to the few items on the ballot in the metropolitan area. The City Council has not appropriated funds yet to cover the cost of the upcoming November election. Therefore, this number needs to be increased by \$23,600.00.

Legal services are running significantly above budget. This number needs to be increased by \$57,009.00.

Public Works incurred FEMA-related expenses in 1995. Therefore, various accounts in Public Works will need to be adjusted by \$ 72,963.00. These expenses are partially offset by refunds from FEMA.

1995 BUDGET ADJUSTMENT

October 9, 1995

Page Two

SUMMARY

In summary, as stated above, these changes are necessary because of a budget review. This adjustment does not reflect concern over our financial picture. To the contrary, the budget process has shown that our financial health is quite good. The net adjustment to the budget based on these changes is positive as shown below at a positive \$51,563:

		CURRENT BUDGET	PROJECTED ACTUAL	AMENDED BUDGET
001-000.000-434.100	FEMA Reimbursements	0	55,962	55,962
001-000.000-435.200	COPS - Federal	0	18,667	18,667
001-000.000-435.300	COPS - Parkway	0	5,894	5,894
001-000.000-480.000	Court Fines & Fees	393,249	523,000	523,000
001-000.000-480.000	Court Fines & Fees	10,000	10,000	10,000
001-000.000-480.000	Court Fines & Fees	500	500	500
001-030.031-520.223	Election Expense	18,000	41,600	41,600
001-030.032-520.251	Misc. Contractual	2,500	4,000	4,000
001-030.032-520.261	Professional Services	77,491	133,000	133,000
001-070.072-520.247	M&R-Equipment	20,000	35,500	35,500
001-070.072-520.248	M&R-Vehicles	30,000	49,500	49,500
001-070.072-520.268	Rental - Equipment	27,037	65,000	65,000
NET ADJUSTMENT			+	56,702

These changes, which were approved by the Finance and Administration Committee at their meeting on October 12, 1995, will need to be submitted to City Council for approval on October 23, 1995.

If you have any questions or need additional information, please let me know.

cc: Department Heads/Executive Staff