



**AGENDA REVIEW MEETING
CHESTERFIELD CITY COUNCIL
Monday, October 18, 2021
6:30PM**

<https://us06web.zoom.us/j/85118284024>

(312) 626 6799

Webinar ID: 851 1828 4024

I. Appointments – Mayor Bob Nation

II. Council Committee Reports

**A. Planning and Public Works Committee – Chairperson Mary Monachella,
Ward I**

1. Next Meeting – Thursday, October 21, 2021 (5:30pm)

**B. Finance and Administration Committee – Chairperson Michael Moore,
Ward III**

1. F&A Committee of the Whole Minutes – October 11, 2021

2. Next Meeting – Not yet scheduled

**C. Parks, Recreation and Arts Committee – Chairperson Mary Ann
Mastorakos, Ward II**

1. Next Meeting – Not yet scheduled

**D. Public Health and Safety Committee – Chairperson Tom DeCampi, Ward
IV**

**1. Bill No. 3362 – An ordinance to repeal and replace City of
Chesterfield Ordinance 2952 to update the requirements for deer
control policy and deer hunting regulations **(First Reading) Public
Health and Safety Committee recommends approval****

**2. Bill No. 3363 – An ordinance to repeal and replace City of
Chesterfield Ordinance 88 to update the prohibition of fireworks
within the corporate limits of the City of Chesterfield pursuant to
Section 320.21 Revised Missouri Statutes **(First Reading) Public
Health and Safety Committee recommends approval****

- 3. Policy for Stationary Radar on Interstate 64-40** – The Public Health and Safety Committee considered Chief Johnson’s recommendation to restrict stationary radar enforcement on Highway 64-40 to assigned traffic officers and/or in conjunction with State or Federal enforcement operations. Chief Johnson and the Police Department request Council direction relative to radar enforcement actions on the interstate highway system **(Voice Vote)**
No recommendation from Public Health and Safety Committee

4. Next Meeting – Not yet scheduled

III. Report from the City Administrator & Other Items Requiring Action by City Council – Mike Geisel

- A. Liquor License Request – The Bearded Man (17081 N. Outer 40 Road, #214 – The District Chesterfield)** – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City’s requirements **(Voice Vote)** **Police and Planning Departments recommend approval**
- B. Liquor License Request – Symbowl (137 Chesterfield Towne Center)** – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City’s requirements **(Voice Vote)** **Police and Planning Departments recommend approval**

IV. Other Legislation

- A. Bill No. 3364 – Amendment to Liquor License Requirements** – An ordinance amending Chapter 600, Article II, Section 1 of the City of Chesterfield Municipal Code to revise language pertaining to liquor license requirements **(First Reading)** **Department of Planning recommends approval**

V. Unfinished Business

- A. County Health Order/Mask Mandate**

VI. New Business

VII. Adjournment

NOTE: *City Council will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.*

Notice *is hereby given that the City Council may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys (RSMo 610.021(1) 1994; lease, purchase or sale of real estate (RSMo 610.021(2) 1994; hiring, firing, disciplining or promoting employees with employee groups (RSMo 610.021(3)1994; Preparation, including any discussions or work product, on behalf of a public governmental body or its representatives for negotiations with employee groups (RSMo 610.021(9) 1994; and/or bidding specification (RSMo 610.021(11) 1994.*

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE CITY COUNCIL MEETING SHOULD CONTACT CITY CLERK VICKIE MCGOWND AT (636) 537-6716, AT LEAST TWO (2) WORKDAYS PRIOR TO THE MEETING.



AGENDA
CITY COUNCIL MEETING
Chesterfield City Hall
690 Chesterfield Parkway West
Monday, October 18, 2021
7:00PM

<https://us06web.zoom.us/j/85074016852>

(312) 626 6799

Webinar ID: 850 7401 6852

- I. CALL TO ORDER** – Mayor Bob Nation
- II. PLEDGE OF ALLEGIANCE** – Mayor Bob Nation
- III. MOMENT OF SILENT PRAYER** – Mayor Bob Nation
- IV. ROLL CALL** – City Clerk Vickie McGownd
- V. APPROVAL OF MINUTES** – Mayor Bob Nation
 - A. City Council Meeting Minutes** – October 4, 2021
- VI. INTRODUCTORY REMARKS** – Mayor Bob Nation
 - A. Thursday, October 21, 2021 – Planning & Public Works (5:30pm)**
 - B. Monday, October 25, 2021 – Planning Commission (7pm)**
 - C. Monday, November 1, 2021 – City Council Meeting (7pm)**
- VII. COMMUNICATIONS AND PETITIONS** – Mayor Bob Nation
- VIII. APPOINTMENTS** – Mayor Bob Nation

IX. COUNCIL COMMITTEE REPORTS

A. Planning and Public Works Committee – Chairperson Mary Monachella, Ward I

- 1. Next Meeting – Thursday, October 21, 2021 (5:30pm)**

B. Finance and Administration Committee – Chairperson Michael Moore, Ward III

- 1. F&A Committee of the Whole Minutes** – October 11, 2021
- 2. Next Meeting – Not yet scheduled**

C. Parks, Recreation and Arts Committee – Chairperson Mary Ann Mastorakos, Ward II

- 1. Next Meeting – Not yet scheduled**

D. Public Health and Safety Committee – Chairperson Tom DeCampi, Ward IV

- 1. Bill No. 3362** – An ordinance to repeal and replace City of Chesterfield Ordinance 2952 to update the requirements for deer control policy and deer hunting regulations **(First Reading) Public Health and Safety Committee recommends approval**
- 2. Bill No. 3363** – An ordinance to repeal and replace City of Chesterfield Ordinance 88 to update the prohibition of fireworks within the corporate limits of the City of Chesterfield pursuant to Section 320.21 Revised Missouri Statutes **(First Reading) Public Health and Safety Committee recommends approval**
- 3. Policy for Stationary Radar on Interstate 64-40** – The Public Health and Safety Committee considered Chief Johnson's recommendation to restrict stationary radar enforcement on Highway 64-40 to assigned traffic officers and/or in conjunction with State or Federal enforcement operations. Chief Johnson and the Police Department request Council direction relative to radar enforcement actions on the interstate highway system **(Voice Vote) No recommendation from Public Health and Safety Committee**
- 4. Next Meeting – Not yet scheduled**

X. REPORT FROM THE CITY ADMINISTRATOR – Mike Geisel

- A. Liquor License Request – The Beardedly Man (17081 N. Outer 40 Road, #214 – The District Chesterfield)** – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City's requirements **(Voice Vote) Police and Planning Departments recommend approval**
- B. Liquor License Request – Symbol1 (137 Chesterfield Towne Center)** – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City's requirements **(Voice Vote) Police and Planning Departments recommend approval**

XI. OTHER LEGISLATION

- A. Bill No. 3364 – Amendment to Liquor License Requirements** – An ordinance amending Chapter 600, Article II, Section 1 of the City of Chesterfield Municipal Code to revise language pertaining to liquor license requirements **(First Reading) Department of Planning recommends approval**

XII. UNFINISHED BUSINESS

- A. County Health Order/Mask Mandate**

XIII. NEW BUSINESS

XIV. ADJOURNMENT

Public comment will be available to users logging in online. Public comment will also be available to users calling in to the meeting; however, you must call (636) 537-6716 no later than 5:00 p.m. on the day of the meeting to inform the City Clerk of the telephone number you will be calling in from.

Members of the public may also submit comments for this meeting by calling (636) 537-6716 and leaving a message or by emailing vmcgownd@chesterfield.mo.us no later than 5:00 p.m. on the day of the meeting. Comments left over voicemail and emailed in will be read at the meeting.

AGENDA REVIEW – MONDAY 10/18/2021 – 6:30 PM

An AGENDA REVIEW meeting has been scheduled to start at **6:30 PM, on Monday, October 18, 2021.**

Please remember this meeting is a virtual meeting via zoom. Your personal link as a meeting panelist has been e mailed to you separately.

Please let me know, ASAP, if you will be unable to attend this meeting.

City of Chesterfield
Excess Checks (=> \$5,000)
September 2021

DATE	CHECK #	VENDOR	DESCRIPTION	CHECK AMT	FUND
9/20/2021	1001	CITY OF CHESTERFIELD	ARPA FUNDS-UMB CD'S	\$ 500,000.00	137
9/2/2021	47698	SUMMIT DISTRIBUTING	10 FLI BO VODKA, 5 FLI RYE MULE, 5 FLI MARGARITA, 4 FLI MOJITO, 15 WAT RNCH WATER, 20 SCH PALE ALE, 30 SCH OKTOBERFEST, 30 CBC C	7,829.77	119
9/9/2021	47733	METROPOLITAN ST. LOUIS SEWER DISTRICT	16365 LYDIA HILL DR, ACCT #0472321-9	10,542.47	119
9/16/2021	47774	THE PUBLIC RESTROOM COMPANY	RESTROOM IN LOGAN PARK	69,919.00	119
9/23/2021	47783	AMEREN MISSOURI	17925 NORTH OUTER FORTY, CONCESSION B, ACCT# 0153089010	5,468.88	119
9/23/2021	47786	AMEREN MISSOURI	16365 LYDIA HILL RD, ACCT# 8780009313	7,991.39	119
9/23/2021	47832	MUSCO SPORTS LIGHTING LLC	SERVICE - CVAC	7,833.00	119
9/23/2021	47837	RECREONICS	ROVER GUARD CHAIR W/(2) SETS OF ANCHORS	5,026.87	119
9/30/2021	47846	FLYNN DRILLING COMPANY	63' of 4" DOMESTIC GALVANIZED DROP PIPE, 4"X30" HEAVY WALL NIPPL	6,455.00	119
9/30/2021	47858	PORTA-PRO MOUNDS, INC.	ADULT GAME MOUND	13,540.00	119
9/30/2021	47860	R.L. MUELLER NATIONAL DIST. INC.	PRETZELS, HOT DOGS, BUNS, CHIPS, CHEESE, DELI WRAP	5,038.15	119
9/2/2021	64519	ENERGY PETROLEUM CO.	#2 DIESEL ULS	17,002.56	001
9/2/2021	64525	HARVESTOWNE AUTO BODY, INC.	PD-23 REPAIR, COLLISION & SUPPLEMENT	12,275.05	001
9/2/2021	64533	MCBRIDE & SON HOMES, INC.	LCE RELEASE- 1,2,4,38,41,46,47,48,54,55,57,59,63,66,68,70,72,75,	28,500.00	808
9/2/2021	64535	MISSOURI AMERICAN WATER COMPANY	690 CHESTERFIELD PKWY W-1017-210014663856	5,661.50	001
9/2/2021	64545	RON TURLEY ASSOC., INC.	FLEET MANAGEMENT SOFTWARE TRAINING	6,000.00	001
9/2/2021	64548	SHI INTERNATIONAL CORP	COMPUTER HARDWARE	8,675.40	001
9/2/2021	64556	THE HARTFORD-PRIORITY ACCOUNTS	SEPTEMBER 2021 LIFE, VOL. LIFE AND LONG TERM DISABILITY INSURANC	11,376.55	001
9/9/2021	64573	COMPASS MINERALS AMERICA INC	2020-2021 SALT, SALT CO-OP	87,043.35	001
9/16/2021	64623	AMCON MUNICIPAL CONCRETE, LLC	2021 SELECTIVE SLAB REPLACEMENT PROJECT A	149,953.12	120
9/16/2021	64624	AMEREN MISSOURI	690 CHESTERFIELD PKWY W-0627147004	19,663.17	001
9/16/2021	64628	AVMATS CENTURION INVESTMENTS, INC.	LANDSCAPE SURETY RELEASE-AVMATS HANGAR 40	13,670.00	808
9/16/2021	64632	CONCRETE STRATEGIES	WILDHORSE PARKWAY BRIDGE DECK OVERLAY	160,220.35	120
9/16/2021	64637	ENERGY PETROLEUM CO.	MID RFG GASOLINE 89 OCT	18,875.52	001
9/16/2021	64642	GAMMA TREE EXPERTS	2021 STUMP GRINDING	9,018.25	120
9/16/2021	64671	TOP GOLF USA, INC.	LANDSCAPE SURETY RELEASE-TOP GOLF	46,325.15	808
9/16/2021	64672	TOPE PLUMBING	14974 CHATEAU VILLAGE -SEWER LATERAL REPAIR	6,350.50	110
9/16/2021	64673	TREASURER-ST. LOUIS COUNTY	POLICE COMMUNICATIONS - SEPTEMBER 2021	16,937.19	121
9/20/2021	64677	CITY OF CHESTERFIELD	PURCHASE INVESTMENTS - CDS AND SECURITIES - UMB BANK	3,250,000.00	001
9/23/2021	64697	GAMBLE & SCHLEMEIER, LTD	2021-2022 GOVERNMENTAL RELATIONS SERVICES CONTRACT	6,666.66	001
9/23/2021	64699	HORNER & SHIFRIN INC.	EBERWEIN PARK TRAILS-DESIGN SERVICES	9,848.50	120
9/23/2021	64711	MISSOURI AMERICAN WATER COMPANY	690 CHESTERFIELD PKWY W-1017-210014663856	5,643.78	001
9/23/2021	64717	PNC BANK	SEPTEMBER 2021 MONTHLY PNC STATEMENT	6,227.90	001
9/23/2021	64718	RICK SHIPMAN CONSTRUCTION INC.	TEMP STRUCTURE RELEASE-WALMART STORE #2600	19,000.00	808
9/23/2021	64728	THE GRAVILLE LAW FIRM, LLC	PROFESSIONAL SERVICES THROUGH JULY 31, 2021	16,091.75	001
9/24/2021	64734	LOU FUSZ DODGE	POLICE VEHICLE - DURANGO	30,930.00	121
9/30/2021	64748	GEOTECHNOLOGY, INC.	2021 CONSTRUCTION AND INSPECTION TESTING SERVICES	12,730.98	120
9/30/2021	64769	RAINERI CONSTRUCTION, LLC	2021 SIDEWALK REPLACEMENT PROJECT A	14,882.80	120
9/30/2021	64777	TOPE PLUMBING	15646 CEDARMILL - SEWER REPAIR	9,620.50	110
				<u>\$ 4,638,835.06</u>	

Respectfully submitted by,
John Hughes, Assistant Finance Director



<u>Fund Legend</u>	
General Fund	001
Sewer lateral fund	110
Parks	119
Capital Improvements	120
Public Safety	121
ARPA	137
Trust & Agency	808



RECORD OF PROCEEDING

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

OCTOBER 4, 2021

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

Mayor Bob Nation led everyone in the Pledge of Allegiance and followed with a moment of silent prayer.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Bob Nation
Councilmember Mary Monachella
Councilmember Barbara McGuinness
Councilmember Aaron Wahl
Councilmember Mary Ann Mastorakos
Councilmember Dan Hurt
Councilmember Michael Moore
Councilmember Tom DeCampi
Councilmember Gary Budoor

APPROVAL OF MINUTES

The minutes of the September 20, 2021 City Council meeting were submitted for approval. Councilmember Moore made a motion, seconded by Councilmember Mastorakos, to approve the September 20, 2021 City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nation announced that the next meeting of City Council is scheduled for Monday, October 18, at 7 p.m.

COMMUNICATIONS AND PETITIONS

City Clerk Vickie McGownd read a statement emailed by Merrell Hansen, 1234 Walnut Hill Farm Drive, regarding Downtown Chesterfield (Wildhorse Village) and the City's Comprehensive Plan.

Ms. Kelli Unnerstall, 14649 Summer Blossom Lane, expressed comments pertaining to Downtown Chesterfield (Wildhorse Village).

Mr. Jeff Tegethoff, 7800 Forsyth Blvd., stated that he was available to answer questions related to Downtown Chesterfield (Wildhorse Village).

Mr. George Stock, 257 Chesterfield Business Pkwy., stated that he was available to answer questions related to Downtown Chesterfield (Wildhorse Village).

APPOINTMENTS

There were no appointments scheduled for this meeting.

COUNCIL COMMITTEE REPORTS AND ASSOCIATED LEGISLATION

Planning/Public Works Committee

Bill No. 3359	Amends City of Chesterfield Ordinance 3114 for a 99.6 acre tract of land located west and southwest of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (P.Z. 03-2021 Downtown Chesterfield [Wild Horse Village] - (18T620185, 18S410240, 18S410206, 18T620228, 18T620239, 18T630348, 18T630195, 18T640248, 18T620064, 18T640260, 18T640271, 18T620174, 18S430259, 18S430282, 18T640336, 17T320169, 17T320158, 18T640392, 18T640381, 18T640259, 18T640237, 18T640369, 18T640370) (Second Reading) Planning Commission recommends approval. Planning & Public Works Committee recommends approval, as amended
---------------	---

Councilmember Mary Monachella, Chairperson of the Planning/Public Works Committee, made a motion, seconded by Councilmember Hurt, for the second reading of amended Bill No. 3359.

Councilmember Wahl made a motion, seconded by Councilmember Budoor, to amend Attachment A, Section G Architectural Requirements, to allow architectural screening of mechanical equipment and remove the enclosed penthouse requirement. A roll call vote was taken with the following results: Ayes – Wahl and Budoor. Nays – McGuinness, DeCampi, Moore, Hurt, Mastorakos and Monachella. Mayor Nation declared the motion to amend failed.

Councilmember McGuinness made a motion, seconded by Councilmember DeCampi, to amend Attachment A, Section P Miscellaneous, to require installation of one piece of art by the developer of each development. A roll call vote was taken with the following results: Ayes – Mastorakos, McGuinness, Moore, Hurt, Budoor, Wahl, Monachella and DeCampi. Mayor Nation declared the motion to amend passed.

Councilmember Wahl made a motion, seconded by Councilmember Moore, to amend Attachment A by eliminating automatic power of review. A roll call vote was taken with the following results: Ayes – Budoor, Moore and Wahl. Nays – McGuinness, DeCampi, Hurt, Mastorakos and Monachella. Mayor Nation declared the motion to amend failed.

A voice vote was taken for the second reading of amended Bill No. 3359 as further amended, with a unanimous affirmative result, and the motion was declared passed. Bill No. 3359 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3359, as amended, with the following results: Ayes – McGuinness, DeCampi, Mastorakos, Hurt, Budoor, Monachella, Moore and Wahl. Nays – None. Whereupon Mayor Nation declared Bill No. 3359 approved, passed it and it became **ORDINANCE NO. 3161.**

Councilmember Monachella made a motion, seconded by Councilmember Mastorakos, to approve City Policy P-04 Establishing the Chesterfield Lifetime Achievement Award.

Councilmember McGuinness made a motion, seconded by Councilmember Budoor, to amend the motion by referring the policy to the F&A Committee for further review and consideration. Councilmember McGuinness made an additional motion, seconded by Councilmember Hurt, to further amend the amendment to require the F&A Committee to return the policy back to City Council. A roll call vote was taken with the following results: Ayes – Monachella, Hurt, Budoor, Moore, McGuinness, Wahl and DeCampi. Nays – Mastorakos. Mayor Nation declared the motion to amend passed.

A roll call vote was taken on the amended amendment, with the following results: Ayes – DeCampi, Wahl, McGuinness, Moore, Budoor, Hurt and Monachella. Nays – Mastorakos. Mayor Nation declared the motion, as amended, passed.

The 2021 budget adjustment in an amount not to exceed \$2,500 to fund award of the first Chesterfield Lifetime Achievement Award was not acted upon due to the policy being referred to the F&A Committee.

Councilmember Monachella announced that the next meeting of this Committee, scheduled for Thursday, October 7, has been canceled.

Finance and Administration Committee

Bill No. 3358 Adopts and implements revisions to the City of Chesterfield employee salary administration manual **(Second Reading) Finance and Administration Committee recommends approval**

Councilmember Michael Moore, Chairperson of the Finance and Administration Committee, made a motion, seconded by Councilmember Budoor, to refer Bill No. 3358 to the F&A Committee for further assessment and review, with assurance to bring the matter back for Council consideration. A roll call vote was taken with the following results: Ayes – Wahl, Moore, Mastorakos, Budoor, Hurt, Monachella, McGuinness and DeCampi. Nays – None. Mayor Nation declared the motion passed.

Bill No. 3361 Provides for submission of the proposal to the qualified voters of the City of Chesterfield for their approval at the general election to be held in the City on April 5th, 2022 **(Second Reading) Finance and Administration Committee recommends approval**

Councilmember Moore made a motion, seconded by Councilmember Wahl, for the second reading of Bill No. 3361. A voice vote was taken with an affirmative result (Councilmember DeCampi voted “No”) and the motion was declared passed. Bill No. 3361 was read for the second time. A roll call vote was taken for the passage and approval of Bill No. 3361 with the following results: Ayes – Monachella, McGuinness, Budoor, Moore, Mastorakos, Hurt and Wahl. Nays – DeCampi. Whereupon Mayor Nation declared Bill No. 3361 approved, passed it and it became **ORDINANCE NO. 3162.**

Councilmember Moore announced that the next meeting of this Committee is scheduled for Monday, October 11, at 5:30 p.m., as a Committee of the Whole – Budget Workshop #1.

Parks, Recreation & Arts Committee

Councilmember Mary Ann Mastorakos, Chairperson of the Parks, Recreation & Arts Committee, indicated that she had no report this evening.

Public Health & Safety Committee

Councilmember Tom DeCampi, Chairperson of the Public Health & Safety Committee, announced that the Public Health & Safety Committee met on Monday, September 27th and action items will be on the October 18 City Council agenda.

REPORT FROM THE CITY ADMINISTRATOR

City Administrator Mike Geisel reported that Staff is recommending award of a contract for 2022 Sewer Lateral Investigation and Repair. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending authorization to accept the low bid for the 2022 Sewer Lateral Investigation and Repair Project and to authorize the City Administrator to enter into an agreement with Tope Incorporated for these services, which are funded from the Sewer Lateral Fund. Councilmember McGuinness made a motion, seconded by Councilmember Hurt, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Hurt, Wahl, DeCampi, McGuinness, Monachella, Budoor, Mastorakos and Moore. Nays – None. Whereupon Mayor Nation declared the motion passed.

City Administrator Geisel reported that Staff is recommending award of a contract for 2021 Crack Sealing Project. Based upon review of information provided by Director of Public Works/City Engineer Jim Eckrich, Mr. Geisel joined with him in recommending authorization to accept the low bid for the 2021 Pavement Crack Sealing Project as submitted by Missouri Asphalt and Sealing, and to authorize the City Administrator to enter into a contract in an amount not to exceed \$83,000, funded from the approved Capital Projects Budget. Councilmember Moore made a motion, seconded by Councilmember Hurt, to approve this recommendation. A roll call vote was taken with the following results: Ayes – Monachella, Budoor, Moore, Wahl, DeCampi, Mastorakos, Hurt and McGuinness. Nays – None. Whereupon Mayor Nation declared the motion passed.

Mr. Geisel reported that The Golf Academy Plus, 140 Long Road, Suite 110 (formerly Arch Badminton Center), has requested a new liquor license, to sell all kinds of liquor by the drink, to be consumed on premise, and Sunday sales. Mr. Geisel reported that, per City policy, this application has been reviewed and is now recommended for approval by both the Police Department and Planning & Development Services. Councilmember Moore made a motion, seconded by Councilmember Wahl, to approve issuance of a new liquor license to The Golf Academy Plus. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OTHER LEGISLATION

There was no “Other Legislation” scheduled for this meeting.

UNFINISHED BUSINESS

There was no unfinished business scheduled on the agenda for this meeting.

NEW BUSINESS

Councilmember Wahl requested that discussion of the mask mandate be included on the next City Council agenda.

ADJOURNMENT

There being no further business to discuss, Mayor Nation adjourned the meeting at 9:18 p.m.

Mayor Bob Nation

ATTEST:

Vickie McGownd, City Clerk

APPROVED BY CITY COUNCIL: _____

UPCOMING MEETINGS/EVENTS

- A. Thursday, October 21, 2021 – Planning & Public Works (5:30pm)**
- B. Monday, October 25, 2021 – Planning Commission (7pm)**
- C. Monday, November 1, 2021 – City Council Meeting (7pm)**

COMMUNICATIONS AND PETITIONS

APPOINTMENTS

There are no appointments scheduled for Monday's meeting.

PLANNING AND PUBLIC WORKS COMMITTEE

Chair: Councilmember Monachella

Vice-Chair: Councilmember Hurt

The Planning and Public Works Committee does not have any action items for the October 18, 2021 City Council Meeting.

NEXT MEETING

The next meeting of the Planning and Public Works Committee is scheduled for Thursday, October 21, 2021, at 5:30 pm.

If you have any questions or require additional information, please contact Director of Planning - Justin Wyse, Director of Public Works – Jim Eckrich, or me prior to Monday's meeting.

FINANCE AND ADMINISTRATION COMMITTEE

Chair: Councilmember Moore

Vice-Chair: Councilmember McGuinness

Approval of F&A Committee of the Whole Minutes – October 11, 2021.

The Finance and Administration Committee is scheduled to meet at 5 pm, Monday October 18th immediately prior to the City Council meeting. Any action items coming out of that meeting will be on the next City Council agenda.

NEXT MEETING

The next meeting of the Finance and Administration Committee of the Whole, is scheduled for Monday, November 8th. That will be the second scheduled budget workshop.

If you have any questions or require additional information, please contact Finance Director Jeannette Kelly or me prior to Monday's meeting.



Finance and Administration Committee of the Whole

Record of Proceeding

October 11, 2021

The Finance and Administration Committee of the Whole met on October 11, 2021. Those in attendance included: Chairperson Michael Moore, Ward III; Council Committee Member Barbara McGuinness, Ward I; Council Committee Member Aaron Wahl, Ward II; Council Committee Member Gary Budoor, Ward IV; City Administrator Mike Geisel; and Finance Director Jeannette Kelly. Those also in attendance included: Mayor Bob Nation; Councilmember Mary Monachella, Ward I; Councilmember Mary Ann Mastorakos, Ward II; Councilmember Dan Hurt, Ward III; Councilmember Tom DeCampi, Ward IV; Director of Public Works/City Engineer Jim Eckrich; Director of Planning Justin Wyse; Police Chief Ray Johnson; Director of Parks, Recreation and Arts Thomas McCarthy; Director of Information Technology Matt Haug and City Clerk Vickie McGownd. There were approximately 7 other attendees.

Chairperson Michael Moore called the meeting to order at 5:30 p.m.

Approval of Minutes

Chairperson Moore asked if there were any comments or changes to the September 28, 2021 F&A Committee Minutes. Hearing none, Councilmember Moore made a motion, seconded by Councilmember McGuinness, to approve the September 28, 2021 F&A Committee minutes. A voice vote was taken with an affirmative result (Councilmember Monachella abstained) and the motion was declared passed.

Budget Workshop #1

Director of Finance Jeannette Kelly and City Administrator Mike Geisel presented the proposed 2022 Budget to the Committee of the Whole (presentation attached).

According to the current policy, the pay plan adjusts annually by the Consumer Price Index (CPI) for the twelve months ended June of the prior year. The June 2021 CPI was 5.8% which is significantly higher than previous years. Director Kelly provided a chart with estimates of the impact to personnel costs at various percent increases for use when making merit pool decisions.

Discussion ensued pertaining to potential merit pool percentages. Councilmember McGuinness made a motion, seconded by Councilmember Mastorakos, to defer a decision on merit pool increase until the next scheduled Budget Workshop on November 8, 2021. A roll call vote was taken with the following results: Ayes – Hurt, Budoor, Mastorakos, Monachella, McGuinness, DeCampi and Wahl. Nays – Moore. The motion was declared passed.

Adjournment

The meeting was adjourned at 6:55 p.m.

Respectfully submitted:

Mike Geisel
City Administrator

Vickie McGownd
City Clerk

APPROVED: _____

PARKS, RECREATION AND ARTS COMMITTEE

Chair: Councilmember Mastorakos

Vice Chair: Councilmember Budoor.

There are no Parks, Recreation and Arts Committee action items scheduled on the agenda for this meeting.

NEXT MEETING

The next meeting of the Parks, Recreation and Arts Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Parks, Recreation and Arts Director Thomas McCarthy or me prior to Monday's meeting.

PUBLIC HEALTH AND SAFETY COMMITTEE

Chair: Councilmember DeCampi

Vice Chair: Councilmember Wahl

Bill No. 3362 – An ordinance to repeal and replace City of Chesterfield Ordinance 2952 to update the requirements for deer control policy and deer hunting regulations. The significant changes were made affected the property owner notification, liability requirements, and removal of redundant provisions that are requirements of the State of Missouri. **(First Reading) Public Health and Safety Committee recommends approval**

Bill No. 3363 – An ordinance to repeal and replace City of Chesterfield Ordinance 88 to update the prohibition of fireworks within the corporate limits of the City of Chesterfield pursuant to Section 320.21 Revised Missouri Statutes. Specifically, the amendment restricts possession of Class C fireworks. **(First Reading) Public Health and Safety Committee recommends approval**

Policy for Stationary Radar on Interstate 64-40 – The Public Health and Safety Committee considered Chief Johnson's recommendation to restrict stationary radar enforcement on Highway 64-40 to assigned traffic officers and/or in conjunction with State or Federal enforcement operations. Chief Johnson and the Police Department request Council direction relative to radar enforcement actions on the interstate highway system. **(Voice Vote) No recommendation from Public Health and Safety Committee**

NEXT MEETING

The next meeting of the Public Health and Safety Committee has not yet been scheduled.

If you have any questions or require additional information, please contact Chief Ray Johnson or me prior Monday's meeting.

MINUTES

PUBLIC HEALTH & SAFETY COMMITTEE MEETING

SEPTEMBER 27, 2021

- I. The meeting was called to order at 5:30 PM by Chairperson Councilmember Tom DeCampi. Councilmember DeCampi noted that this meeting is the first outdoor meeting of the Public Health & Safety Committee.

- II. Roll Call

Councilmember Tom DeCampi, Ward IV, Chairperson, Councilmember Barbara McGuinness, Ward I. Councilmember Aaron Wahl, Ward II, Councilmember Michael Moore, Ward III, and Councilmember Mary Ann Mastorokas. Also, in attendance were Chief Ray Johnson, Captain Cheryl Funkhouser, Captain Dan Dunn, Mr. Kelly Reeves, and Mr. Dave Wrobel.

- III. Deer Hunting Issues

Chief Johnson addressed the Committee members and noted that during the last meeting of the Public Health & Safety Committee, there were recommendations to amend the current bow hunting ordinance: A proposed bow hunting ordinance was recommended to the Committee

Indemnity insurance was the first item discussed. The current ordinance stated that the property owner was responsible for the one million-dollar (\$1,000,000.00) insurance required. A proposed change would allow either the property owner, the hunter, or a combination of both to provide the insurance.

The Committee addressed the current minimum limit of one-half acre property and shots limited to 20 yards. The proposed ordinance would limit the property to a minimum of one acre and allow the maximum shot distance at 40 yards. After discussion, the Committee agreed to retain the limitation of property size to one-half acre and increase the shot distance to 30 yards.

Chief Johnson noted that the City had received two anonymous complaints regarding notification of hunting on contiguous properties. This issue had been addressed at a previous Public Health & Safety Committee meeting, however, since the complaints were anonymous, there was no one to contact regarding any actions taken. At this time, Mr. Kelly Reeves of the Suburban Bow Hunters reviewed their process for the notification of contiguous neighbors. He also noted that plans for the future will include electronic notification.

Councilmember DeCampi motioned and Councilmember McGuinness seconded to amend the ordinance to include:

Prior to any hunting activity on a property, the affected neighbors must be notified in writing. The hunter must be able to show the appropriate documentation of the notification of the approximate date and time period of

the hunt. In the event hunting is authorized by subdivision trustees within subdivision common ground, the trustees shall be responsible for notifying the appropriate property owners and retaining evidence thereof. For purposes of this sub-section, contiguous shall mean any property within a 200-yard radius from the planned hunting location, and any properties immediately abutting the hunters travel route from their vehicle to the planned location.

No hunting is authorized on tracts of land under one-half acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Sections (f) and (h) herein. All other provisions of the Deer Control Policy shall apply to combined lots.

Prior to any hunting activity, the Police Department shall be provided a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than \$1,000,000 per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity may be provided by the property owner, or the hunter, or the property owner and the hunter may provide shared indemnity to reach the minimum limits mandated by this subparagraph. Said liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from any act of negligence of the designated hunter or by any agent, assign, employee, independent contractors, or licensee of the designated hunter.

All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line. No arrow shall be shot from a distance greater than thirty (30) yards.

The motion to adopt the proposed amended ordinance, as attached, carried 4-0. The proposed ordinance shall be forwarded to City Council with a recommendation to adopt.

V. Sweet Gum Trees

Councilmember McGuinness noted that sweet gum trees are no longer allowed to be planted in the City right-of-way. She then introduced Mr. Dave Wrobel who addressed the Committee members regarding a problem he is experiencing because a neighbor has two sweet gum trees that canopy his property. Large numbers of sweet gum balls fall into his yard each fall. Mr. Wrobel has offered to share the cost of removing the trees from his neighbor's property but the offer was refused. The past few fall seasons, Mr. Wrobel collected the sweet gum balls in his yard and then deposited them back into the neighbor's property. He was served with a "Cease & Desist" letter regarding this action. He now is requesting assistance from the City to exempt him from any prosecution from trespassing/dumping for returning the sweet gum balls to his neighbor's property. He also asked that the City possibly enact legislation to disallow the planting of sweet gum trees throughout the City.

Councilmember Wahl motioned and Councilmember McGuinness seconded to direct staff to contact the City Attorney to review the possibility of amending the City Nuisance Ordinance to add wording that would assign responsibility of debris from nuisance vegetation to the owner of that vegetation. The motion carried unanimously.

VI. Highway Traffic Enforcement

Chief Johnson noted that an unwritten policy of the City does not allow police officers to run stationary radar on the Interstate. At this time, a State grant is available for officers to do this on a limited basis. He asked the Committee to consider this action as it would fund the officers on their off-duty hours and would assist with speed enforcement on the interstate.

Councilmember Moore voiced his disagreement.

After discussion Councilmember Wahl motioned to take advantage of State Grant Funding for radar enforcement on the interstate on a limited basis. Councilmember McGuinness seconded. After further discussion, the vote on the motion was 2-2. This issue will be forwarded to City Council with no recommendation.

VII. Fireworks

The Committee discussed resident complaints regarding fireworks. Councilmember DeCampi noted that this past July 4th, it seems as though residents are discharging a large number of fireworks that are elaborate and possibly commercial grade fireworks.

Chief Johnson informed the Committee members that City Ordinance in place prohibits the discharging of fireworks but does not control possession of those fireworks. Therefore, police cannot confiscate fireworks.

Councilmember DeCampi motioned and Councilmember Wahl seconded to amend the current Ordinance to include the prohibition of Class C fireworks (including their possession) and to allow the confiscation of these items when in possession of, and readily accessible to the person. This prohibition would not include the storage of such fireworks. The motion carried unanimously 4-0 and will be forwarded to the full Council with recommendation for approval.

VIII. Quarterly Update – Crime Reduction/Prevention Strategy

As required by City Council, a Crime Reduction/Prevention Strategy Plan was implemented. Chief Johnson proceeded to report the current status of response to those strategies. He noted that all twelve of the strategies are currently in progress. He reported that custodial arrests have been enacted very successfully. He also reported that the vehicles that career shoplifters have utilized have been towed resulting in an expense to the perpetrators to retrieve. The work on each of the strategies will continue with additional quarterly updates.

No date was set for the next meeting of the Public Health & Safety Committee

Having no further business. The meeting adjourned at 7:20 PM.

Mike Geisel

City Administrator



690 Chesterfield Pkwy W

Chesterfield MO 63017

Phone 636-537-4711

Fax 636-537-4798

OFFICE OF THE CITY ADMINISTRATOR

TO: City Council

Date: September 29, 2021

RE: Archery hunting

The Public Health and Safety Committee, at their meeting on Monday 9/27/2021, recommended revisions to the City's bow hunting ordinance. The proposed ordinance incorporating the revisions are provided attached hereto.

Over the last few years, City Council has repeatedly discussed deer population reduction, specifically addressing the permitted culling of deer by archery methods. In addition, staff has had multiple communications with the public, trustees, and the suburban hunters group. While this program has been quite successful through the years, there remain some conflicts and confusion that can be readily rectified.

It should be understood that absent the City Ordinance authorizing archery hunting under certain specific conditions, archery hunting would be prohibited for the majority of the City of Chesterfield. There are properties in excess of ten acres and properties outside of the Monarch-Chesterfield Levee where hunting is otherwise allowed and the additional restrictions created by our archery hunting ordinance are inapplicable.

The City Council has previously adopted ordinances allowing for archery deer hunting, on properties of a minimum size, with specific restrictions as to the location, process, and reporting of harvested deer. In addition, our ordinances require full compliance with Missouri Department of Conservation (MDC) rules and regulations. There are no special provisions authorizing the harvesting of deer out of season, without state permits, or by methods restricted by MDC.

While the City's ordinance permits and prescribes archery deer hunting, it should be understood that the City's involvement is passive. The City accepts and files landowner authorizations, indemnity documents, hunter identification

and insurance. The City also receives information related to harvested animals and compiles reports related thereto. Most of the documentation associated with the archery program relies on attestations by the landowner or hunter. Like most City ordinances, the City does not actively validate those attestations. While the City will investigate specific complaints or inquiries, the City does not pro-actively verify a landowner or hunter's attestations regarding notification or other ordinance requirements. This is no different than any other ordinance within the City. Once the required paperwork with the required signature attesting to compliance is provided, the landowner\applicant has presumptively met the requirements. If, and only if a complaint is received, would the City initiate an investigation. The City does not, other than accepting the attestation, verify that each contact notification has been made. Frankly, since many of our residents oppose deer hunting in general, such verification would be difficult if not impossible. Further, the notification itself, often inflames those who oppose hunting and see the notification as an opportunity to prevent hunting activities.

Over the course of the last two decades, there have been minimal complaints. The vast majority of the complaints relate to permitting the harvesting of urban deer as a permitted activity. Roughly half of the residents desire a deer eradication program, while the other half desire to protect and cultivate the herd. Only twice, am I aware of a complaint regarding an alleged violation of notice, and both appear to have originated from the same source. In short, the problem is less about notification, than about allowing deer hunting at all.

We have thoroughly reviewed the existing code requirements and have taken a pro-active approach to offer amendments based upon our experiences with archery hunts over the years.

The current notification requirements are, in my opinion, onerous and ineffective. The requirement to notify "contiguous" properties often leads to onerous requirements notifying properties that are not impacted while not informing non-contiguous properties that are likely to be impacted. As such, we have proposed changes to the notification requirements, redefining the term contiguous. Further, when hunting is authorized within subdivision common ground, the notification obligation is placed upon the subdivision trustees. After all, they are the individuals authorizing the hunting activity and have the best communication channels with their residents. See section 205.420 6d

Prior to any hunting activity on a property, the contiguous neighbors must be notified in writing. The hunter must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt. In the event hunting is

authorized by subdivision trustees within subdivision common ground, the trustees shall be responsible for notifying the appropriate property owners and retaining evidence thereof. For purposes of this sub-section, contiguous shall mean any adjoining or abutting property within a 200-yard radius from the planned hunting location, and any properties immediately abutting the hunters travel route from their vehicle to the planned hunting location.

City Council previously reduced the minimum acreage required for bow hunting, to ½ Acre minimum. This is equivalent to a square lot of less than 150 feet per side. It is also recognized that the minimum lot size can be achieved by combining adjacent lots\parcels. Although bow hunters are very efficient, archery is different than hunting with a firearm. An animal struck with a lethal bow shot, will likely travel a short distance before expiring. A perfectly executed archery shot does not typically drop the animal immediately. It is probable and predictable that a successful archery shot would result in an animal leaving the bounds of a ½ acre lot. This is compounded by other site requirements, which limit the hunter's location within the authorized parcel. See section 205.430 I. The Public Health and Safety Committee recommended that the current minimum lot size requirements be retained as they currently exist.

No hunting is authorized on tracts of land under one-half acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Sections (f) and (h) herein. All other provisions of the Deer Control Policy shall apply to combined lots.

The Liability indemnity requirements have confused some participating landowners. While the City has been flexible in interpreting who was required to provide the indemnification and how that could be shared between the property owner and the hunter, the ordinance was not. As such, we've revised the language in this section to reflect that the City cares not whether the hunter or the property owner provides the indemnity. See section 205.420 A3

Prior to any hunting activity, the property owner shall provide to the Police Department, a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than \$1,000,000 per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity may be provided by the property owner, or the hunter, or the property owner and the hunter may provide shared indemnity to reach the minimum limits mandated by this sub-paragraph. Said

liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from any act of negligence of the designated hunter or by any agent, assign, employee, independent contractors, or licensee of the designated hunter.

The current code limits the maximum shot distance to not more than 20 yards. It is our opinion that this is unnecessarily restrictive and while archery shots are typically limited by physical impediments, a more reasonable maximum shot limitation is 30 yards. The Public Health and Safety Committee recommended increasing the maximum shot distance to 30 yards. See section 205.430 H

All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line. No arrow shall be shot from a distance greater than thirty (30) yards.

Finally, the existing code has duplicate and redundant requirements of the Missouri Department of Conservation, such as safety training, hunting licenses, calendar season, and hunting hours. We have made an effort to delete redundant requirements throughout and simply require all hunting activities to be in accordance with the hunting regulations of the State of Missouri. All miscellaneous changes are reflected in the redline version of the proposed ordinance attached hereto. See section 205.420 A 4-5 and section 205.450 A-C

All current laws of the State of Missouri as regards to the regulations of hunting shall be obeyed within the corporate limits of Chesterfield.

All activities related to a hunt or harvesting of wildlife shall be in conformance with the Missouri Department of Conservation rules and regulations.

Any person who kills any deer while hunting shall follow all Missouri Department of Conservation guidelines regarding field dressing and processing of the animal.

Any person who field dresses or otherwise processes a deer shall properly dispose of the discarded organs and/or body parts in

accordance with the Missouri Department of Conservation rules and regulations.

Accordingly, the Public Health and Safety Committee recommended adoption of the proposed revisions as incorporated in the attached ordinance. If you have any questions, please contact Chief Johnson or me. We look forward to discussing the proposed amendments with the Committee and will be available to respond to any questions.

BILL NO. 3362

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE CITY OF CHESTERFIELD ORDINANCE 2952 TO UPDATE THE REQUIREMENTS FOR DEER CONTROL POLICY AND DEER HUNTING REGULATIONS.

WHEREAS, the City Council of the City of Chesterfield, Missouri, has received numerous reports of property damage due to the increase in the deer population within the corporate boundaries of Chesterfield and adjoining municipalities, and

WHEREAS, the City Council of the City of Chesterfield, Missouri, finds that an increasing deer population within the corporate boundaries of Chesterfield and adjoining municipalities constitutes a threat to personal property within the City and that the continued growth of the deer population within the corporate boundaries of Chesterfield and adjoining municipalities also creates potential hazard to the physical safety of children, homeowners, residents, pedestrians and motorists, and

WHEREAS, it is the intent of the City Council of the City of Chesterfield, Missouri in enacting the Deer Control Policy and Hunting Regulations to exercise reasonable police power over the growth of the deer population in order to safeguard the general welfare and safety of the community.

WHEREAS, in order to preserve the physical safety of children, homeowners, residents, pedestrians and motorists within the City of Chesterfield, and in order to prevent additional property damage by deer to residences within the City of Chesterfield, the City Council hereby enacts the following Deer Control Policy and Hunting Regulations.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Notwithstanding any other Ordinance relating to the discharge of firearms of the City of Chesterfield, the Municipal Code of the City of Chesterfield, Missouri, is hereby amended by adding a new CHAPTER: *DEER CONTROL POLICY AND HUNTING REGULATIONS*. Article V Deer Control Policy and Hunting Regulations

As used in this Article the following terms shall have these prescribed meanings:

ARCHERY DEVICE: Any longbow, crossbow or compound bow.

FIREARM: The term “firearm” as is used in this Ordinance means any rifle, shotgun, weapon or similar mechanism by whatever name known, which is designed to expel a projectile or projectiles through a gun barrel, tube, pipe, cylinder or similar device by the action of any explosive. The term “firearm” shall not apply to devices used exclusively for commercial, industrial or vocational purposes.

PROJECTILE WEAPON The term “projectile weapon” means any bow, crossbow, pellet gun, slingshot or other weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious physical injury or death by striking or piercing a person.

UNDER THE INFLUENCE: Under the influence shall be defined by the state regulation applied to motor vehicle operation.

SECTION 205.420 Hunting Regulations Within the City Limits

A. Regulation of hunting within the corporate limits of the City of Chesterfield during deer hunting season set by the Missouri Department of Conservation or such other specific time authorized by the City of Chesterfield.

1. Discharging or releasing arrows or bolts from Archery Devices, or crossbows, within the City limits is restricted to hunting activities permitted under this Ordinance.
2. Prior to any hunting activity under this article, the property owner shall notify the Chesterfield Police Department of his or her intent to hunt on their property. The notification shall include the names of all property owners, the address of the proposed hunt property, the dates of the proposed hunt, and the names of all proposed hunters. In addition to the foregoing, the property owner shall complete a *Notification of Intent to Hunt* form and return said form to the Police Department prior to engaging in or authorizing any hunting activity on their property.
3. Prior to any hunting activity, the property owner shall provide to the Police Department, a certificate of insurance or indemnity bond providing evidence of a policy of liability insurance and/or indemnity bond in an amount not less than \$1,000,000 per occurrence insuring or bonding the property owner and/or the designated hunter. The indemnity may be provided by the property owner, or the hunter, or the property owner and the hunter may provide shared indemnity to reach the minimum limits mandated by this sub-paragraph. Said

liability insurance and/or indemnity bond shall provide insurance coverage and/or indemnity for all claims for damages resulting from any act of negligence of the designated hunter or by any agent, assign, employee, independent contractors, or licensee of the designated hunter.

4. All current laws of the State of Missouri as regards to the regulations of hunting shall be obeyed within the corporate limits of Chesterfield.
5. All activities related to a hunt or harvesting of wildlife shall be in conformance with the Missouri Department of Conservation rules and regulations.
6. Permission to Hunt
 - a. It shall be unlawful for any person carrying an archery device of any type, to knowingly enter into the premises of another, or to discharge any of the afore-stated devices while on the premises or property of another without first having obtained permission in writing from the owner, lessee, or person in charge of such premises or property. The duly obtained written permission shall be carried on the person of the hunter requesting and receiving such permission. This Section shall not apply to a person carrying or discharging such a device while in the immediate presence of the owner, lessee, or person in-charge of said premises or property.
 - b. In addition to the requirements set forth herein, it shall be at the discretion of the owner, lessee, or person in-charge of any premises or property to set the parameters under which any person may hunt upon any such premises or property under the control of the owner, lessee, or person in-charge.
 - c. No person without lawful authority, or without the expressed or implied consent of the owner, lessee or their agent, shall enter any building or enter upon any enclosed or improved real estate, lot or parcel of ground in the City of Chesterfield; or being upon the property of another, shall fail or refuse to leave such property when requested to do so by owner, lessee, or person in-charge of said property.

- d. Prior to any hunting activity on a property, the contiguous neighbors must be notified in writing. The hunter must be able to show the appropriate documentation of receipt of the notification of the approximate date and time period of the hunt. In the event hunting is authorized by subdivision trustees within subdivision common ground, the trustees shall be responsible for notifying the appropriate property owners and retaining evidence thereof. For purposes of this sub-section, contiguous shall mean any adjoining or abutting property within a 200-yard radius from the planned hunting location, and any properties immediately abutting the hunters travel route from their vehicle to the planned hunting location.
7. In addition to the rules and regulations of the Missouri Department of Conservation, any individual who successfully harvests a deer during a hunt must report the hunter's name, sex of the deer, and the location of the harvest within two (2) business days by calling Chesterfield Police Department during normal business hours or by delivering written notification to the Police Department.
8. Prior to entering a property to hunt, it shall be the hunter's responsibility to permanently mark each arrow or other projectile with his or her Missouri Department of Conservation identification number. Possessing unmarked archery projectiles during a hunt shall be deemed a violation.
9. Nothing in this Deer Control Policy shall authorize the parking or standing of vehicles on private property without the consent of the property owner or to park a vehicle in any manner otherwise prohibited by the City Code.

SECTION 205.430 Specific actions prohibited/Required

- A. It shall be unlawful for any person to discharge any archery device across any street, sidewalk, road, highway or playground.
- B. It shall be unlawful for any person to discharge an archery projectile, at or in the direction of any person, vehicle, dwelling, house, church, school, playground or building.

- C. It shall be unlawful any person to discharge an archery device within one hundred fifty (150) yards of any church, school, or playground.
- D. It shall be unlawful for any person to discharge an archery device within thirty (30) yards of any dwelling, building, structure, or vehicle, unless the hunter has previously received express authority to discharge the archery device within thirty (30) yards from the owner of the dwelling, building, structure, or vehicle.
- E. No arrow, bolt or other projectile used to hunt pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land on public or private property other than the property on which the hunt has been authorized.
- F. No arrow, bolt or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land within seventy-five (75) feet of any front-yard property line.
- G. No arrow or other projectile used to hunt deer pursuant to the Deer Control Policy may be discharged or projected at such an angle or distance as to land within fifty (50) feet of any street or public-right of way.
- H. All hunting shall be conducted from an elevated position that is at least ten (10) feet in height and faces the interior of the property. The elevated position (deer stand) shall be located in such a way as to direct arrows towards the interior of the property and to prevent any arrow from landing any closer than twenty-five (25) feet from any side or rear property line. No arrow shall be shot from a distance greater than thirty (30) yards.
- I. No hunting is authorized on tracts of land under one-half acre in area, except that adjacent property owners may combine their parcels to satisfy the property line discharge restrictions contained in Sections (f) and (h) herein. All other provisions of the Deer Control Policy shall apply to combined lots.
- J. It shall be unlawful for any person under the age of eighteen (18) years old to hunt deer within the City limits of Chesterfield.

- K. No person shall possess, consume or be under the influence of alcohol or any other controlled substance while engaged in hunting activities within the City limits of Chesterfield.

Section 205.440. Deer Retrieval

- A. Any person who kills or injures any deer while hunting shall make a reasonable search to retrieve the deer and take it into their possession.
- B. This section does not authorize the act of trespass.
- C. It shall be the hunter's responsibility to immediately notify any property owner, other than the specific property owner who previously authorized the hunt, if they suspect that an injured or dead deer may be located on their property.
- D. It shall be the hunter's responsibility to obtain the permission of any property owner upon which an injured or dead deer is located prior to engaging in a reasonable search and retrieval of the deer.
- E. In the event that a hunter cannot obtain the permission of a property owner to conduct a reasonable search and retrieval of an injured or dead deer, the hunter shall immediately notify the Missouri Department of Conservation.

Section 205.450. Field Dressing

- A. Any person who kills any deer while hunting shall follow all Missouri Department of Conservation guidelines regarding field dressing and processing of the animal.
- B. Any person who kills any deer while hunting shall take all precautionary measures to avoid field dressing the deer in a public or conspicuous location.
- C. Any person who field dresses or otherwise processes a deer shall properly dispose of the discarded organs and/or body parts in accordance with the Missouri Department of Conservation rules and regulations.

Section 205.460. Violations and Penalties

- a. Any person, entity, or group of individuals who shall perform an act in violation of this section, or who shall fail to follow

the rules and/or regulations contained in this section, shall be deemed to have committed a misdemeanor.

- b. The penalty for violating any provision of this section shall be the assessment of a fine up to \$1,000.00 per violation. In addition to any fine imposed herein, the Municipal Court shall have authority to issue a sentence of confinement in jail up to a period of ninety (90) days per violation. Each individual violation may be punishable separately as determined by the Municipal Judge.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed and held for naught.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

Passed and approved this _____ day of _____, 2021.

Presiding Officer

MAYOR

ATTEST:

CITY CLERK

FIRST READING HELD _____

BILL NO. 3363

ORDINANCE NO. _____

AN ORDINANCE TO REPEAL AND REPLACE CITY OF CHESTERFIELD ORDINANCE 88 TO UPDATE THE PROHIBITION OF FIREWORKS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD PURSUANT TO SECTION 320.21 REVISED MISSOURI STATUTES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD,
AS FOLLOWS:

Section 1. As used in this Ordinance, unless clearly indicated otherwise, the following terms means:

- 1) Common Fireworks. Explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This includes aerial devices containing no more than two grams (130 mg) of explosive composition or ground devices containing no more than 50 mg of explosive composition, all of which are classified as Class C explosives by regulation of the United States Department of Transportation.
- 2) Fireworks Season. The period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year.
- 3) Person. Any corporation, association, partnership or individual or group thereof.
- 4) Sale. An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, co-partnership or one or more individuals.
- 5) Special Fireworks. Explosive devices designed primarily to produce visible or audible effects by combustion, deflagration or detonation. This term includes devices containing more than two grams (130 mg) of explosive composition intended for public display. These devices are classified as Class B explosives by regulation of the United States Department of Transportation.

Section 2. It is unlawful for any person to manufacture, sell, offer for sale, ship or cause to be shipped into the corporate limits of the City of Chesterfield, any item of fireworks. This section applies to nonresidents as well as residents of the City of Chesterfield.

Section 3. It is unlawful for any person to explode, ignite, discharge, or possess any articles of fireworks within the corporate limits of the City of Chesterfield. Fireworks in possession of, and readily accessible to the person shall be subject to confiscation.

Section 4. Violation of this Ordinance shall be a misdemeanor punishable by a fine not less than Five Dollars (\$5.00) and not more than One Thousand Dollars (\$1,000.00) or by imprisonment for a period not to exceed Ninety (90) Days or by both such fine and imprisonment.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this ____ day of _____, 2021.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: _____

REPORT FROM THE CITY ADMINISTRATOR & OTHER ITEMS REQUIRING ACTION BY CITY COUNCIL

Liquor License Request – The Bearded Man (17081 N. Outer 40 Road, #214 – The District Chesterfield) – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City's requirements. **(Voice Vote) Police and Planning Departments recommend approval**

Liquor License Request – Symbol (137 Chesterfield Towne Center) – has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales. This application was reviewed by both the Police Department and the Department of Planning and found to meet all the City's requirements. **(Voice Vote) Police and Planning Departments recommend approval**



MEMORANDUM

DATE: October 7, 2021

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST – THE BEARDLY MAN**

THE BEARDLY MAN - 17081 N. Outer 40 Rd, #214 (The District Chesterfield) ... has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales.

Mr. Justin Grey is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Department of Planning.

With City Council approval at the Monday, October 18, 2021 City Council meeting, I will immediately issue this license.



MEMORANDUM

DATE: October 6, 2021

TO: Mike Geisel
City Administrator

FROM: Andrea Majoros, Business Assistance Coordinator

SUBJECT: **LIQUOR LICENSE REQUEST – SYMBOWL**

SYMBOWL – 137 Chesterfield Towne Center ... has requested a new liquor license for retail sale of all kinds of intoxicating liquor by the drink, to be consumed on premise, and Sunday sales.

Mr. Kevin Song is the Managing Officer.

This application was reviewed and approved by both the Police Department and the Department of Planning.

With City Council approval at the Monday, October 18, 2021 City Council meeting, I will immediately issue this license.

OTHER LEGISLATION

Bill No. 3364 – Amendment to Liquor License Requirements – An ordinance amending Chapter 600, Article II, Section 1 of the City of Chesterfield Municipal Code to revise language pertaining to liquor license requirements. **(First Reading)**
Department of Planning recommends approval

UNFINISHED BUSINESS

County Health Order/Mask Mandate

As directed by City Council, this agenda item will allow for discussion, debate and action relative to the County Health Order requiring all individuals to wear masks indoors, regardless of vaccination status.

NEW BUSINESS

Memorandum

Department of Planning

To: Michael O. Geisel, City Administrator

From: Justin Wyse, Director of Planning

Date: October 18, 2021

RE: **City of Chesterfield Code Amendment—Liquor License:** An ordinance amending Chapter 600 of the City of Chesterfield Code regarding Liquor License distance requirements.



Summary

In 1997, City Council passed Ordinance 1346 which established how the separation distance from establishments requesting a liquor licenses to schools, churches and other places of worship was defined. As a result, Section 600.040 A. of the City of Chesterfield Code currently requires that any establishment issued a new liquor license be located a minimum distance of 100 feet from any school, church or other building regularly used as a place of religious worship. By Code, this distance is measured from property line to property line.

While State Statute also requires this minimum 100-foot distance, the State's Division of Alcohol and Tobacco Control defines this distance as being measured from the closest point of the building of any school or place of worship to the *closest point of the licensed premises* where liquor would be sold, not the *property line*. If the City Code is implemented, there are times when the distance required by City Code exceeds the maximum distance that may be imposed by cities and would therefore be invalid.

Staff has coordinated with the City Attorney and are recommending the attached revision to Chapter 600 to remove the inconsistency between State and Local laws and remove instances where the City Code requirements exceed the authority granted to the City under the Revised Statutes of Missouri.

Draft legislation reflecting this proposed change is attached for City Council's consideration.

Attachments: Draft Legislation

BILL NO. 3364

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 600, ARTICLE II, SECTION 1 OF THE CITY OF CHESTERFIELD MUNICIPAL CODE TO REVISE LANGUAGE PERTAINING TO LIQUOR LICENSE REQUIREMENTS.

WHEREAS, Chapter 600 of the City's Municipal Code requires any establishment issued a liquor license to be located at least one-hundred feet away from any school, church or other place of worship; and,

WHEREAS, Municipal Code defines the measurement of this distance as property line to property line; and,

WHEREAS, the State of Missouri establishes this distance as measured in a straight line from the nearest point of the licensed premises to the nearest point of the nearest school, church or other building regularly used as a place of religious worship; and,

WHEREAS, the City Council of the City desire to amend the Municipal Code to reflect the requirements of state law;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section One: 600.040 of the City Municipal Code shall be amended as follows with language to be added underlined and language to be deleted ~~stricken~~:

Section 600.040 **Sales Of Liquor Prohibited Near Schools and Churches**

- A. No license shall be granted for the sale of intoxicating liquor, as defined in this Chapter, within one hundred (100) feet of any school, church or other building regularly used as a place of religious worship, unless the applicant for the license shall first obtain the consent in writing of the City Council, except that when a school, church or place of worship shall hereafter be established within one hundred (100) feet of any place of business licensed to sell intoxicating liquor, the license shall not be denied for this reason. Such consent shall not be granted until at least ten (10) days' written notice has been provided to all owners of property within one hundred (100) feet of the proposed licensed premises.
- B. Subsection (A) of this Section shall not apply to a license issued by the Supervisor of Alcohol and Tobacco Control for the sale of intoxicating liquor pursuant to Section 311.218, RSMo., or to a license issued to any church, school, civic, service, fraternal, veteran, political, or charitable

club or organization which has obtained an exemption from the payment of Federal taxes.

- C. Subsection (A) of this Section shall not apply to any premises holding a license issued before January 1, 2004, by the Supervisor of Alcohol and Tobacco Control for the sale of intoxicating liquor. To retain a license under this Subsection, the licensed premises shall not change license type, amend the legal description, or be without a liquor license for more than ninety (90) days.
- D. The distance of one hundred (100) feet shall be measured from the ~~closest edge of the property line on which the school, church or other building used as a place of religious worship is located on a direct line to the closest edge of the property line on which the proposed licensed establishment is to be located.~~ nearest point of the licensed premises to the nearest point of the nearest school, church, or other building regularly used as a place of religious worship.

Section Two: The Mayor and City Council are hereby authorized and directed to approve the amendment on behalf of the City.

Section Three: All ordinances or parts of ordinance in conflict with this Ordinance are hereby repealed and replaced.

Section Four: Where this Ordinance differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State, or Federal government, the more restrictive or protective of the City and the public shall apply.

Section Five: This Ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 6. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2021.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie McGownd, CITY CLERK

FIRST READING HELD: 10/18/2021