

MEMORANDUM

DATE: October 10, 2011
TO: Michael G. Herring, City Administrator
FROM: Chief Ray Johnson
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE MEETING

The Public Health and Safety Committee met on Monday, October 10, 2011. Those in attendance included Chairperson Barry Flachsbart, Ward I, Councilmember Randy Logan, Ward III, Councilmember Connie Fults, Ward IV, Mayor Bruce Geiger, City Administrator Michael Herring and Chief Ray Johnson. Councilmember Derek Grier, Ward II, was absent. Also in attendance was Police Personnel Board Chairman Philip Folsom.

The meeting was called to order at 7:40AM, by Chairperson Barry Flachsbart.

1. **Approval of Minutes – January 24, 2011**

Councilmember Logan motioned and Councilmember Fults seconded to approve the minutes of January 24, 2011. The motion carried 3-0.

2. **Interview – Police Personnel Board Candidate**

Mayor Geiger's nominee to serve as a member of Police Personnel Board, Howard W. Curtis, was not in attendance. The Committee members reviewed his resume and tentatively approved his appointment, pending his meeting with members of this Committee, just prior to the October 17th City Council meeting. Chief Johnson will invite Mr. Curtis and will attend to the administrative details of scheduling this special meeting of the PH&S Committee.

3. **Selection of Public Health & Safety Committee Co-Chairman and Liaisons**

Councilmember Fults motioned and Councilmember Logan seconded to fill the following positions:

Co-Chairperson: Councilmember Logan

Liaison to the Police Personnel Board: Councilmember Flachsbart

Liaison to CAPY: Councilmember Logan

These appointments were approved by a vote of 3-0.

4. **Proposed Ordinance Establishing Rules & Regulations for Bicycle Riding**

The Committee reviewed a proposed ordinance establishing certain safety guidelines for bicyclists including their equipment and clothing. The Committee members voiced their concern over several sections of the proposed ordinance including the definition of usable paths, the inclusion of in-line skates, roller skates and skateboards, the regulation of cyclists' clothing, and regulation of businesses who may rent bicycles.

Councilmember Fults motioned and Councilmember Logan seconded to make revisions to the proposed ordinance and present the revised ordinance at the next Committee meeting. After lengthy discussion and suggested changes, the motion carried 2-1 with Councilmember Flachsbart voting "NO".

5. **Proposed Ordinance - Roll-Off Trash Containers**

Chief Johnson reviewed a proposed ordinance to limit the amount of time a commercial dumpster may remain on a residential site. He noted that there have been instances where a dumpster has remained on a driveway for more than six months. Councilmembers noted that many residents do rehab their homes and dumpsters are needed during those times, however, there should be a limit to the time the dumpster remains at the home. It was noted that homeowners can remain in full-compliance, if the dumpster is moved, at least once, during the time period established.

After review of the proposed ordinance, Councilmember Logan motioned and Councilmember Fults seconded to recommend approval of an ordinance, which will amend Section 20-3, (1), to read "Placement of a roll-off trash container on property for an uninterrupted period exceeding ninety (90) consecutive days....." The motion carried 3-0. This will be forwarded to City Council for final review/approval.

6. **Proposed Ordinance – Prohibiting Open Carry of Firearms**

The Committee reviewed a proposed ordinance which would prohibit the open carry of firearms in public places. Chief Johnson explained that currently it is legal for anyone to carry a firearm in public places in Chesterfield as long as it is openly displayed. The concealed carry of firearms is regulated by State Statute and requires a permit, but open carry is legal unless prohibited by a County or Municipality. He noted that there is a group that promotes open carry and meets regularly in area establishments with their firearms clearly displayed on their person to demonstrate their rights provided by the 2nd Amendment. City Administrator Herring provided a list of area municipalities that have ordinances that prohibit the open carrying of firearms. He noted that recently a person openly carried a firearm in a holster into the Maplewood Wal-Mart and shoppers were greatly alarmed. At that time, there was no ordinance in Maplewood against the open carry of firearms.

After considerable discussion, Councilmember Logan motioned and Councilmember Flachsbart seconded to hold this proposed ordinance to the next meeting. Several changes made by members of the Committee will be reflected in the version brought back to Committee. The motion carried 3-0.

7. **Sobriety Checkpoint – Status Report**

Chief Johnson presented a report regarding recent DWI sobriety checkpoints conducted by the Police Department. He summarized the operation of the checkpoints and the outcome of those checkpoints. Throughout the checkpoints, traffic delays were no longer than three minutes and a number of intoxicated drivers and several other types of violations were identified during the operation.

Chief Johnson noted that there have been two checkpoints conducted in 2011 and there may be five planned in 2012. These checkpoints are manned by off-duty police officers and are funded through MODot grants.

Councilmember Flachsbart thanked Chief Johnson on behalf of the Committee members and requested that Chief Johnson make a presentation to City Council, at an upcoming meeting, regarding the success of this program. Mayor Geiger noted that a press release is already being prepared for publication in conjunction with the City's Prosecuting Attorney Tim Engelmeyer. He agreed that Chief Johnson should also make a presentation at an upcoming City Council meeting. Chief Johnson agreed to make that presentation at the November 7 City Council meeting.

8. **CAPY Funding**

Councilmember Logan informed the Committee members that the CAPY pool party was very well attended this past summer. He also noted that the CAPY members would like to add an additional event (possibly two additional events) next year. These additional events would need funding and Councilmember Logan noted that CAPY will possibly be requesting an additional \$1,000.00 to cover these events. At this time, CAPY receives \$2,000.00 each year for programs. During the discussion that followed, the Committee expressed general support for such a request.

Councilmember Logan also reported that both the Parkway and Rockwood School districts have expressed interest in the CAPY program.

Councilmember Flachsbart expressed appreciation, on behalf of the Committee, to Councilmember Logan for his many efforts on behalf of the CAPY program.

5. **Next Meeting**

The next meeting has been tentatively scheduled for Monday, December 12, 2011.

8. **Adjournment**

The meeting was adjourned at 8:57 AM.