RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, OCTOBER 5, 1992

The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

PRESENT	ABSENT
Mayor Jack Leonard	None
Councilmember Betty Hathaway	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft School: Mark Massey, Justin Hurt, Alex Newberry. Also in attendance was Troop Leader Michael Newberry.

Reverend Jerrol Boehmer from Greentrails United Methodist Church led the City Council in prayer.

The minutes of the Public Hearing, September 21 at 6:30 P.M., the minutes of the Public Meeting, September 21 at 6:45 P.M. and the minutes of the City Council meeting September 21, 1992, were submitted for approval. A motion was made by Councilmember Clarke, seconded by Councilmember Hurt, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Hartley B. Comfort, II, who resides at 231 Conway Hill Road, expressed his opposition to Resolution #119, which would approve the issuance of a Conditional Use Permit to St. Luke's Hospital.

Mr. William McCurdy, who resides at 13511 Conway Road, distributed copies of information suggesting that Resolution #119 should not be approved, "since Chesterfield's zoning ordinance requirements had not been met".

Mr. Gary Olson, Executive Vice President of St. Luke's Hospital, 232 S. Woods Mill Road, expressed his willingness to address any questions Council may have with regard to Resolution #119. There were no questions from Council.

INTRODUCTORY REMARKS

Mayor Jack Leonard presented a Proclamation to Sgt. Chris Connelly, Explorer Post Advisor, in recognition of the accomplishments by the Chesterfield Law Enforcement Explorer Post 9270 at the Annual Law Enforcement Explorer Conference, held recently in Columbia, S.C. In addition to the Proclamation, each Explorer Scout was presented with a Chesterfield pin and a certificate of recognition for capturing the 1st Place National Title in the "Bomb Scene" Competition.

Mayor Leonard next presented Proclamations to Mr. Ron Paubel, representing the Chesterfield Fire Protection District, and Mr. Don Zoellick, representing the Ballwin Fire Protection District, in recognition of Fire Prevention Week.

Mayor Leonard next presented a plaque to residents representing the Thousand Oaks Subdivision in recognition for having the largest number of resident participation per capita in the "National Night Out" contest sponsored by the Chesterfield Police Department. Since this is an on-going contest to occur each year, a plaque will be displayed in the Government Center recognizing subdivisions with the largest number of resident participation per capita during "National Night Out." Thousand Oaks Subdivision has been engraved on this plaque as the winner for 1992.

COUNCIL COMMITTEE REPORTS

Planning and Zoning

Councilmember Betty Hathaway, Chairperson of the Planning and Zoning Committee, introduced Resolution #119 with regard to a Conditional Use Permit for St. Luke's Hospital. A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, to approve Resolution #119. A voice vote was taken with a unanimous affirmative result and the motion was declared

passed.

Councilmember Hathaway next reported that Bill #737, regarding to vacation of easements and building lines in White Gate Farm Subdivision, will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hathaway announced that the next meeting of this Committee has been scheduled for October 12, 1992, at 8:00 A.M.

Public Health and Safety

Councilmember Susan Clarke, Chairperson of the Public Health and Safety Committee, announced that the next meeting of this Committee has been scheduled for October 8, 1992, at 7:30 A.M.

Finance and Administration

Councilmember Dan Hurt, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for October 8, 1992, at 5:30 P.M.

Public Works/Parks

Councilmember Dick Hrabko, Chairperson of the Public Works/Parks Committee, announced that the next meeting of this Committee has been scheduled for October 12, 1992, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City of Chesterfield's entitlement for the 1993-94 Community Development Block Grant funding year is $75,399.00. A proposed budget/application for submission to St. Louis County has been prepared which includes funding support of $42,000 for the rehab of private properties (Home Improvement Program), $29,399 for the removal of architectural barriers (handicapped-access ramps) and $4,000 for clearance activities. A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, to approve the proposed CDGB budget. A roll call vote was taken with the following results: Ayes - Hathaway, Greenwood, Hurt, Politte, Hrabko, Tilley. Nays - Clarke and Levinson. The motion was declared passed.

LEGISLATION

BILL #730 AN ORDINANCE PROVIDING FOR THE REIMBURSEMENT OF COSTS FOR

ALCOHOL AND DRUG RELATED TRAFFIC OFFENSES

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for a second reading of Bill #730. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #730 was read for the second time. A roll call vote was taken for passage and approval of Bill #730, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #730 approved, passed it and it became ORDINANCE #720.

BILL #731AN ORDINANCE REGULATING THE DISTRIBUTION OF TOBACCO AND TOBACCO PRODUCTS THROUGH VENDING MACHINES IN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for a second reading of Bill #731. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #731 was read for the second time. A roll call vote was taken for passage and approval of Bill #731, with the following results: Ayes - Hathaway, Greenwood, Hurt, Politte, Hrabko and Tilley. Nays - Clarke and Levinson. Whereupon Mayor Leonard declared Bill #731 approved, passed it and it became ORDINANCE #721.

BILL #732 AN ORDINANCE AMENDING ORDINANCE #535 AS AMENDED AND BY FURTHER AMENDING CODE SECTION 21-107 OF SAID ORDINANCE BY ADDING A NEW SECTION 3(e) TO CODE SECTION 21-108, BY AMENDING CODE SECTION 21-110, AND BY AMENDING CODE SECTION 21-111

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #732. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #732 was read for the second time. A roll call vote was taken for passage and approval of Bill #732, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #732 approved, passed it and it became ORDINANCE #722.

BILL #733AN ORDINANCE GRANTING A NON-EXCLUSIVE RIGHT, PRIVILEGE, AND FRANCHISE TO MAXTEL CABLEVISION TO CONSTRUCT, OPERATE, MAINTAIN AND RECONSTRUCT A CABLE TELEVISION SYSTEM WITHIN A PORTION OF THE CITY OF CHESTERFIELD HEREIN DESCRIBED AND APPROVING A FRANCHISE AGREEMENT BETWEEN THE CITY AND MAXTEL CABLEVISION

AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE SAID FRANCHISE AGREEMENT ON BEHALF OF THE CITY

A motion was made by Councilmember Hurt, seconded by Councilmember Greenwood, for a second reading of Bill #733. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #733 was read for the second time. Councilmember Hrabko questioned if the proposed cablevision legislation at the national level were passed, if it would have any effect on this ordinance. Mr. John Price, Director of Corporate Development from MaxTel Cablevision, assured Councilmember Hrabko that, if anything, local governments would have more control, rather than less control over rates and regulations. A motion was made by Councilmember Hrabko to hold Bill #733 for further review. There was no second. A roll call vote was taken for passage and approval of Bill #733, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #733 approved, passed it and it became ORDINANCE #723.

BILL #734AN ORDINANCE REPEALING ORDINANCE #619 IN TOTAL AND ADOPTING A NEW ORDINANCE TO ESTABLISH THE WARDS AND BOUNDARIES OF THE CITY OF CHESTERFIELD

A motion was made by Councilmember Hurt, seconded by Councilmember Hathaway, for a second reading of Bill #734. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #734 was read for the second time. A roll call vote was taken for passage and approval of Bill #734, with the following results: Ayes - Hathaway, Greenwood, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Clarke. Whereupon Mayor Leonard declared Bill #734 approved, passed it and it became ORDINANCE #724.

BILL #713AMENDS ORDINANCE #335 OF THE CITY OF CHESTERFIELD TO EXEMPT FROM THE REQUIREMENT OF A SPECIAL PERMIT FOR OPENING AND EXCAVATING OF PUBLIC STREETS, INSTALLATION OF LAWN SPRINKLER SYSTEMS WITHIN THE CITY RIGHT-OF-WAY

A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley, for a second reading of Bill #713. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #713 was read for the second time. A roll call vote was taken for passage and approval of Bill #713, with the following results: Ayes - Hathaway, Greenwood, Clarke, Hurt, Politte, Hrabko and Tilley. Nays - Levinson. Whereupon Mayor Leonard declared Bill #713 approved, passed it and it became ORDINANCE #725.

BILL #735AN ORDINANCE AMENDING ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO

A motion was made by Councilmember Hrabko, seconded by Councilmember Hathaway, for a second reading of Bill #735. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #735 was read for the second time. A roll call vote was taken for passage and approval of Bill #735, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #735 approved, passed it and it became ORDINANCE #726.

BILL #736AN ORDINANCE ESTABLISHING STANDARD CONSTRUCTION SPECIFICATIONS FOR SEWERS AND DRAINAGE FACILITIES AS APPROVED BY THE METROPOLITAN SEWER DISTRICT

A motion was made by Councilmember Hrabko, seconded by Councilmember Greenwood, for a second reading of Bill #736. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #736 was read for the second time. A roll call vote was taken for passage and approval of Bill #736, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #736 approved, passed it and it became ORDINANCE #727.

LEGISLATION - PLANNING COMMISSION

BILL #737VACATES EASEMENTS AND BUILDING LINES FOR WHITE GATE FARMS SUBDIVISION LOCATED NORTH OF CLAYTON ROAD, WEST OF STRAUB ROAD, CHESTERFIELD, MO

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for the first reading of Bill #737. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #737 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Levinson, for a second reading of Bill #737. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #737 was read for the second time. A roll call vote was taken for passage and approval of Bill #737, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #737 approved, passed it and it became ORDINANCE #728.

ADJOURNMENT

Prior to adjournment, Councilmember Dick Hrabko recognized Ms. Kim Potter, reporter from the West Countian and thanked her for her efforts during the past couple of years. Ms. Potter is

relocating in Wisconsin. Ms. Felicia Dulitz will replace Ms. Potter.

City Clerk Marty DeMay stated she had received a speakers card from Ms. Tina Vierling, who resides at 16204 Pepperview Drive, in unincorporated West County. Ms. Vierling arrived after the Communications and Petitions section of the agenda. Mayor Leonard agreed to hear Ms. Vierling. Ms. Vierling expressed her concerns with regard to the proposed City of Wildwood, which includes her subdivision and questioned whether Chesterfield would include her subdivision in future annexations. Mayor Leonard suggested that Ms. Vierling speak with City Administrator Herring after the meeting.

A motion was made by Councilmember Greenwood, seconded by Councilmember Hurt, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:52 P.M.

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Mayor Jack Leonard

ATTEST:

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Martha L. DeMay, City Clerk