

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, SEPTEMBER 16, 1991

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 Jade Gardner Bute	
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: Shawn Perry, Tim Quigley, John Olejarczyk, Mark Olejarczyk, Scott Peck and Matt Hillyar. Also in attendance was Troop Leader Ed Quigley.

Deacon Jerome Toohey from Incarnate Word Catholic Church led the City Council in prayer.

The minutes of the August 19, 1991, meeting were submitted for approval. A motion was made by Councilmember Hathaway, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Councilmember Politte announced that on September 14, 1991, the Parkway West Senior High Marching Band participated in the competition at Murphysboro, IL with approximately 20 other bands from other States and took first place in all areas of competition.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard nominated Ms. Karen Edinger to the Human Rights Commission. Ms. Edinger's term will expire March 6, 1993. A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to approve this nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Planning and Economic Development

Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, reported that Bill #'s 623, 624, 625, 626 and 628, will be considered for adoption under the Legislation portion of the agenda. The improvement escrow for Old Baxter Place Subdivision has not been received pertaining to Bill #627; therefore, Bill #627 will be held.

Councilmember Hathaway announced the next meeting of this Committee has been scheduled for September 19, 1991, at 5:30 P.M.

Public Works and Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, reported that Councilmember Tilley had requested the Committee reconsider changing the name of Wilson Spur Road to Baxter Crossing Lane at this time and not to wait until Lydia Hill was extended and connected. The Committee voted 2 - 2 on the motion. This matter has been forwarded to City Council for a final decision. In the Work Session, City Council voted unanimously to approve City Attorney Doug Beach to prepare an ordinance to change the name of Wilson Spur Road to Baxter Crossing Lane.

Councilmember Bute next reported that Bill #589 will be considered for adoption under the Legislation portion of the agenda. Councilmember Bute stated that she would amend Section 1 (b) with regard to the time frame for construction hours as indicated in Bill #589, as well as deleting the words "or activity" as they appear in Section 2 of this Bill.

Councilmember Bute next reported that the construction progress report of the 1991 Capital Street Project revealed some deficient pavement installations. The pavement problems concern pavement thickness. The City's contract requires a design concrete thickness of 7" atop a 4" rock base. The contract also allows for payment reduction for reduced pavement thickness as follows: 7.0" - 6.75", no reduction; 6.75" - 6.50", 20% reduction in unit cost; 6.50" - 6.00" 40% reduction in unit cost. The Committee voted unanimously to have all pavement less than 6.0" in thickness removed and replaced. The City is to send letters to all affected residents explaining the situation and Staff will

meet and answer questions regarding the project and the need to replace deficient pavement.

Councilmember Bute next reported that a budget transfer was required in order to hire additional part-time street workers. The amount of the transfer is \$10,000.00. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to approve the transfer of funds to hire the additional part-time workers. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for September 19, 1991, at 5:30 P.M. The first meeting in October of this Committee has been scheduled for October 10, 1991, at 7:30 A.M.

Public Health and Safety

Councilmember Alan Politte, Chairperson of the Public Health and Safety Committee, reported that, in response to a request from Clarkson Valley, a proposal has been submitted to provide Clarkson Valley with police protection services, 24 hours per day, 7 days per week, at a total price of \$187,000.00. This was calculated on a per capita basis so that the City of Chesterfield, while not making a profit providing these services, would not subsidize Clarkson Valley.

Councilmember Politte next reported that the Committee voted unanimously to recommend that the City of Chesterfield enter into a street lighting contract with Union Electric for the installation of fourteen (14) streets lights at various intersections. The initial cost would be approximately \$15,000.00, with a monthly charge of approximately \$115.00. In the Work Session, City Council voted 7 - 1 (Councilmember Greenwood voting no) to authorize City Administrator Mike Herring to enter into a contract with Union Electric for the installation of fourteen (14) street lights.

Councilmember Politte next reported that Bill #629 would be considered for adoption under the Legislation portion of the agenda. Councilmember Politte stated that the first request for placement of this stop sign did not meet the criteria; however, under the City's new criteria for placement of a stop sign at a closed subdivision and seventy-five (75%) percent of the residents sign a petition, an ordinance can be prepared to consideration by City Council.

Councilmember Politte announced that Law Enforcement Day has been scheduled for September 21, 1991, at Chesterfield Mall.

Councilmember Politte next reported that the Committee voted unanimously to authorize the Chesterfield Police Department to send a citizen survey through a random selection process to members of the community who have had occasion to come in contact with the Department.

Councilmember Politte next reported that the Chesterfield Police Department will not ticket cars illegally parked at Parkway West Senior High School.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for September 30, 1991, at 12 Noon.

Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that Bill #621, regarding Americans with Disabilities Act, will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley next reported that the Committee voted unanimously to recommend that Councilmember Susan Clarke be designated as liaison to the Human Rights Commission and that this Commission be moved back under the general supervision of the Finance and Administration Committee. The motion also included that Councilmember Betty Hathaway would continue to serve as co-liaison to the Commission. However, Councilmember Hathaway desires to resign as co-liaison from this Commission due to her many other commitments.

Councilmember Tilley next reported that the Committee voted unanimously to recommend that the City of Chesterfield, through the Community Development Block Grant program, offer both funding mechanisms to citizens within our community for housing assistance. That would include a combination of 50% grant/50% forgivable loan as well as a 100% rebate of all expenses incurred. In the Work Session, City Council unanimously approved this funding mechanism for the CDBG program.

Councilmember Tilley next reported, as information, that the total assessed valuation of the City of Chesterfield is the highest total assessed valuation of any municipality in St. Louis County.

Councilmember Tilley next reported that the Committee voted unanimously to recommend that Councilmember Greenwood's suggestion of establishing a policy which would require individuals, either elected officials or members of appointed Boards/Commissions, to turn-in keys, Code books or manuals issued to them as a function of their office, within two (2) weeks after leaving office. In the Work Session, City Council unanimously approved this recommendation.

Councilmember Tilley announced that the Haunted House has been scheduled for Chesterfield Mall October 26 - 31, 1991, and that volunteers are needed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for September 30, 1991, at 7:30 A.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that as approved by City Council, at the last meeting, an ad has been placed soliciting proposals from individuals with whom the City of Chesterfield might contract for services, such as recreation planning and coordination, through December 31, 1991. As approved by City Council, the total compensation to be provided shall not exceed \$2,000.00 for the balance of this fiscal year. In order to accomplish this goal, a budget transfer will be required from the Contingency Account to the Miscellaneous Contractual Account, under the City Administrator's budget, totaling \$2,000.00. A motion was made by Councilmember Politte, seconded by Councilmember Bute, to approve the budget transfer. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the City of Chesterfield and Finance Director Jan Hawn have been honored by the Government Finance Officers Association through presentation of its Distinguished Budget Award. Mr. Herring expressed his thanks to all those involved in the budget process. In addition, Mr. Herring announced that Ms. Hawn was recently elected President of the Municipal Finance Officers and Treasurer's Association of the State of Missouri. Councilmember Hurt commended Mr. Herring and Staff for their excellent work.

LEGISLATION

BILL #617 AMENDS ORDINANCE #35, WHICH RELATES TO TRAFFIC SCHEDULES FOR THE CITY OF CHESTERFIELD BY CHANGING THE NAME OF NORTH BEECHCRAFT AVENUE

A motion was made by Councilmember Bute, seconded by Councilmember Clarke, for the first reading of Bill #617. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #617 was read for the first time.

Councilmember Dick Hrabko questioned the validity of Bill #617. A motion was made by Councilmember Bute, seconded by Councilmember Clarke, to hold Bill #617 for further review.

BILL #618 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Bute, seconded by Councilmember Clarke, for the first reading of Bill #618. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #618 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for a second reading of Bill #618. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #618 was read for the second time. A roll call vote was taken for passage and approval of Bill #618, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #618 approved, passed it and it became ORDINANCE #608.

BILL #619APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Bute, seconded by Councilmember Clarke, for the first reading of Bill #619. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #619 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #619. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #619 was read for the second time. A roll call vote was taken for passage and approval of Bill #619, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #619 approved, passed it and it became ORDINANCE #609.

BILL #620APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Bute, seconded by Councilmember Clarke, for the first reading of Bill #620. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #620 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #620. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #620 was read for the second time. A roll call vote was taken for passage and approval of Bill #620, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #620 approved, passed it and it became ORDINANCE #610.

BILL #621ADOPTS THE AMERICANS WITH DISABILITIES ACT

A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, for the first reading of Bill #621. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #621 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, for a second reading of Bill #621. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #621 was read for the second time. A roll call vote was taken for passage and approval of Bill #621, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #621 approved, passed it and it became ORDINANCE #614.

BILL #622 PERTAINS TO THE TRANSFER AND ACCEPTANCE OF APPALACHIAN TRAIL,
GREENTRAILS DRIVE SOUTH, GREENTRAILS DRIVE NORTH,
STABLESTONE DRIVE AND TIMBERLAKE MANOR PARKWAY
EXTENSION AS PUBLIC STREETS WITHIN THE CITY OF
CHESTERFIELD

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for the first reading of Bill #621. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember to amend Section 1 regarding Timberlake Manor Parkway Extension to read "to its terminus point as approved by the City of Chesterfield". A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #622 was read for the first time as amended.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #622 as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #622 was read for the second time. A roll call vote was taken for passage and approval of Bill #622, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #622 approved, passed it and it became ORDINANCE #611.

BILL #629 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE
CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for the first reading of Bill #629. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #629 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #629. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #629 was read for the second time. A roll call vote was taken for passage and approval of Bill #629, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute,

Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #629 approved, passed it and it became ORDINANCE #612.

**BILL #589REGULATES THE HOURS OF COMMERCIAL AND PRIVATE CONSTRUCTION
WITHIN THE CITY LIMITS OF THE CITY OF CHESTERFIELD AS IT
RELATES TO HEAVY EQUIPMENT OPERATION**

A motion was made by Councilmember Bute, seconded by Councilmember Clarke, to amend Bill #589 Section 1 (b) by changing the construction hours from 7:00 A.M. to 6 P.M. to 6:30 A.M. to 6 P.M. Monday through Friday and 7:30 A.M. to 5:00 P.M. on Saturday during daylight savings time. A voice vote was taken with a result of 5 - 3 (Councilmembers Greenwood, Hurt and Tilley voting "no") and the motion was declared passed. A motion was made by Councilmember Bute, seconded by Councilmember Clarke, to amend Section 2 to delete the words "or activity". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for the first reading of Bill #589 as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #589 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for a second reading of Bill #589 as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #589 was read for the second time. A roll call vote was taken for passage and approval of Bill #589, with the following results: Ayes - Hathaway, Clarke, Bute, Hurt, Politte and Hrabko. Nays - Greenwood and Tilley. Whereupon Mayor Leonard declared Bill #589 approved, passed it and it became ORDINANCE #613.

LEGISLATION - PLANNING COMMISSION

**BILL #623AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING
THE BOUNDARIES OF AN "M-3" PLANNED INDUSTRIAL DISTRICT
TO A "C-8" PLANNED COMMERCIAL DISTRICT FOR A 3.3 ACRE
TRACT OF LAND LOCATED ON THE NORTH SIDE OF
CHESTERFIELD AIRPORT ROAD EAST OF LONG ROAD (P.Z. 8-91,
HAROLD ARBEITMAN - ROYAL COMPANIES)**

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #623. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #623 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second

reading of Bill #623. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #623 was read for the second time. A roll call vote was taken for passage and approval of Bill #623, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #623 approved, passed it and it became ORDINANCE #615.

BILL #624 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF AN "R-3" 10,000 SQ. FT. RESIDENCE DISTRICT AND AN "R-6" 2,000 SQ. FT. RESIDENCE DISTRICT TO AN "R-4" 7,500 SQ. FT. RESIDENCE DISTRICT AND FOR A PLANNED ENVIRONMENT UNIT (PEU) IN THE "R-4" 7,500 SQ. FT. RESIDENCE DISTRICT FOR A 15.77 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF OLIVE BOULEVARD SOUTH OF WEST DRIVE (P.Z. 15 & 16-91, PREMIER HOMES, INC.)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #624. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #624 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #624. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #624 was read for the second time. A roll call vote was taken for passage and approval of Bill #624, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #624 approved, passed it and it became ORDINANCE #616.

BILL #625 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.164 SIGN REGULATIONS AND SECTION 1003.020 DEFINITIONS RELATIVE TO WALL SIGNS

A motion was made by Councilmember Greenwood, seconded by Councilmember Hathaway, to refer Bill #625 to the Department of Planning/Economic Development for review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL #626 AMENDS ST. LOUIS COUNTY ORDINANCE #13,822 FOR A PEU IN THE "R-1" ONE ACRE RESIDENCE DISTRICT; "FPR-1" FLOOD PLAIN ONE ACRE RESIDENCE DISTRICT FOR A PARCEL OF PROPERTY LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD WEST OF WILSON ROAD (LEVINSON BUILDING AND REALTY CORPORATION)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #626. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #626 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #626. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #626 was read for the second time. A roll call vote was taken for passage and approval of Bill #626, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #626 approved, passed it and it became ORDINANCE #617.

BILL #627 PROVIDES FOR THE APPROVAL OF A SUBDIVISION RECORD PLAT AND
IMPROVEMENT ESCROW ON THE EAST SIDE OF OLD BAXTER
ROAD, SOUTH OF HIGHCROFT DRIVE (OLD BAXTER PLACE
SUBDIVISION)

Bill #627 has been placed on hold as the improvement escrow has not been received by the City of Chesterfield.

BILL #628 REPEALS ORDINANCE #589 AND ADOPTS A NEW ORDINANCE PROVIDING
FOR THE APPROVAL OF A LARGE LOT SUBDIVISION RECORD
PLAT ON THE EAST SIDE OF EATHERTON LANE, NORTH OF WILD
HORSE CREEK ROAD (VALLEY PLACE SUBDIVISION)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #628. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #628 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #628. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #628 was read for the second time. A roll call vote was taken for passage and approval of Bill #628, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #628 approved, passed it and it became ORDINANCE #618.

ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Clarke, that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. The meeting was adjourned at 7:40 P.M.

Mayor Jack Leonard _____

ATTEST:

Martha L. DeMay, City Clerk