



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
SEPTEMBER 5, 1995

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

A roll call was taken with the following results:

PRESENT

Mayor Jack Leonard
Councilmember Colleen Hilbert
Councilmember Ed Levinson
Councilmember Barry Streeter
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Mike Cullen
Councilmember Linda Tilley

ABSENT

Councilmember Barry Flachsbart

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Mark Massey, Jason Wells, Matthew Massey, Kalyan Tatineny and Adam Prey. Also in attendance was Troop Leader Thomas Smyka.

Bishop Preston King from the Church of Jesus Christ of the Latter Day Saints led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the August 21, 1995, Public Hearing and City Council meeting were submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Cullen, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Jack Leonard placed the name of Norman Stewart in nomination as an alternate member to the Board of Adjustment. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, to approve the appointment of Mr. Stewart as an alternate member of the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Stewart's term will expire June 1, 1996. Mayor Leonard next placed the name of Robert Buergin in nomination as a member of the Board of Adjustment. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, to approve the appointment of Mr. Buergin as a member of the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Buergin's term will expire June 1, 1998.

Mayor Leonard recognized Councilmember Politte who presented the Mayor with a trophy awarded to Councilmember Politte and City Administrator Mike Herring for taking first place in the Mayor's Invitational Canoe Race sponsored by the Meramec River Recreation Association.

Mayor Leonard next recognized Councilmember Barry Streeter who supported Ms. Jade Gardner Bute's appointment to the Parks, Recreation and Arts Citizen Advisory Committee.

COMMUNICATIONS AND PETITIONS

Judith L. Hopson, who resides at 16591 Baxter Forest Ridge Drive, expressed her concern with the property damage that has occurred due to the deer overpopulation.

Mr. Dan Schwartz, who resides at 15523 Country Mill Court, expressed his support for the appointment of Ms. Jade Gardner Bute to the Parks, Recreation and Arts Citizens Advisory Committee.

COUNCIL COMMITTEE REPORTS

Public Health and Safety

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 1108, 1110, 973, 1118 - 1120 will be considered for adoption under the Legislation portion of the agenda.

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

Planning and Zoning

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 1111 and 1130 - 1132 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Levinson stated his desire for the Mayor and City Council to recognize Ms. Barbara McGuinness for her time and effort devoted to serving on the Planning Commission since the City incorporated June 1988. A motion was made by Councilmember Levinson, seconded by Councilmember Hurt, to recognize Ms. McGuinness for her service to the City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. McGuinness recently resigned from the Planning Commission to take a position with the St. Louis County Boundary Commission.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for September 7, 1995, at 5:30 P.M.

Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Bill #'s 1135 and 1137 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for September 20, 1995, at 7:30 P.M.

Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that Resolution #190 deals with compliance for reasonable accommodations with regard to the Americans with Disabilities Act. A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, to adopt Resolution #190. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that Bill #'s 1133, 1134 and 1136 will be considered for adoption under the Legislation portion of the agenda. It was suggested that Bill #1134 will be read for the first time and then referred to the Finance and Administration for further review.

Councilmember Tilley next reported that the Committee voted unanimously to recommend that City Council approve Staff recommendations to establish fund accounts to record the activity of the funds used to finance the new Public Works Facility. The funds will not go through the City, but will be handled by Magna trust Company, the company that is acting as the City's trustee since the issuance of the Certificates of Participation. Development of

such a budget will enable City Council to monitor the expenditure of funds for this project. A motion was made by Councilmember Tilley, seconded by Councilmember Streeter, to establish fund accounts for the new Public Works Facility. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that the Committee voted 2 - 2 on the motion not to change the current system of the number of City Council meetings in place nor the amount of compensation that Councilmembers receive. After some discussion, a motion was made by Councilmember Tilley, seconded by Councilmember Cullen, to eliminate a second meeting for the months of April, May, June, July, August and December, meeting on the third Monday of each month with the exception that Council will meet on the first Monday in the month of December. The remaining months of the year will have two meetings, on the first and third Monday of each month. A roll call vote was taken with the following results: Ayes - Hurt, Politte, Tilley, Cullen. Nays - Hilbert, Streeter, Levinson.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for September 11, 1995, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the Public Works Department seeks bids for the purchase of salt, which may be needed to support the snow removal activities, above and beyond the amount purchased through the Municipal Cooperative Purchase process. An amount of \$52,000 has been budgeted for this purchase. Mr. Herring recommends that the bid received from North American Salt for a rate of \$27.60/ton be accepted by City Council. The purchases will be made on an as-needed basis only. A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to approve the purchase of salt on an as-needed basis, in the amount of \$27.60/ton. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Hurt requested that the stop sign policy be addressed prior to removing from the table the recommendations from the Traffic Task Force. Much discussion ensued with regard to the policy. A motion was made by Councilmember Hurt, seconded by Councilmember Politte, to amend the current policy to include that (1) stop signs for federal, state and county roadways will follow national warrants; (2) stop signs for non-through streets (residential subdivision/side streets will follow current policy; (3) stop signs for through/collector streets will be approved if (a) national warrants are met; (b) city warrants are met; (c) members of a regional Task Force vote at least 67% in favor of the stop sign. Additional discussion took place. Councilmember Politte called for the question. A roll call vote was taken with the following results: Ayes - Hilbert, Streeter, Hurt, Politte, Tilley, Cullen. Nays - Levinson. The motion was declared passed. City Administrator Herring noted that when a regional Task Force was established they would be required to follow the same procedures as the Traffic Task Force followed for their

mission. A roll call vote was taken on the revised stop sign policy with the following results: Ayes - Levinson, Streeter, Hurt, Politte, Cullen. Nays - Hilbert, Tilley. The motion was declared passed. Councilmember Tilley noted for the record that she approved of the revisions to the stop sign policy with the exception of the regional task force.

Councilmember Levinson made a motion to remove from the table Traffic Task Force recommendations. The motion was seconded by Councilmember Cullen. A roll call vote was taken with the following results: Ayes - Hilbert, Streeter, Levinson, Hurt, Politte, Tilley, Cullen. Nays - None. The motion was declared passed. Discussion ensued. A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, to accept the recommendations as submitted by the Traffic Task Force with the exception of the last two recommendations dealing with the striping of Schoettler Valley Drive. A roll call vote was taken with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen. Nays - Tilley.

Councilmember Politte made a motion, seconded by Councilmember Levinson, that City Council schedule a retreat to work with a professional person who has experience in the area of conflict resolution and building consensus. Mr. Herring was asked to attend the session on conflict resolution being offered at the Missouri Municipal League Conference in Kansas City.

LEGISLATION

BILL #1108 AMENDS ORDINANCE #35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO CREATING NO PARKING ON THE WEST SIDE OF JUDSON MANOR (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, for a second reading of Bill #1108. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1108 was read for the second time. A roll call vote was taken for passage and approval of Bill #1108, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1108 approved, passed it and it became **ORDINANCE #1076**.

BILL #1110 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF COUNTRYSIDE MANOR PARKWAY AND COUNTRYSIDE MANOR PLACE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **SECOND**

READING)

A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, for a second reading of Bill #1110. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1110 was read for the second time. A roll call vote was taken for passage and approval of Bill #1110, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1110 approved, passed it and it became **ORDINANCE #1077**.

BILL #1111 AUTHORIZES THE SUBMISSION TO THE VOTERS OF THE CITY OF CHESTERFIELD, MISSOURI, AT THE SPECIAL ELECTION ON NOVEMBER 7, 1995, THE QUESTION OF WHETHER THE CITY SHALL LEVY A BUSINESS LICENSE TAX ON THE OCCUPATION OF OPERATING AN OUTDOOR ADVERTISING BILLBOARD WITHIN THE CITY, IN THE AMOUNT OF \$3,500.00, OR FIVE PERCENT (5%) OF THE BILLBOARD'S GROSS REVENUE PER YEAR, WHICHEVER IS GREATER (PLANNING & ZONING COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**)

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, for a second reading of Bill #1111. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1111 was read for the second time. A roll call vote was taken for passage and approval of Bill #1111, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1111 approved, passed it and it became **ORDINANCE #1078**.

BILL #973 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO TO PROVIDE FOR STOP SIGNS AT THE INTERSECTION OF BROOK HILL RIDGE LANE AND BROOK HILL DRIVE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, for the first reading of Bill #973. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #973 was read for the first time.

BILL #1118 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO TO PROVIDE FOR STOP SIGNS ON BROOK HILL COURT, AT ITS INTERSECTION WITH BROOK HILL DRIVE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Politte, for the first reading of Bill #1118. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1118 was read for the first time.

BILL #1119 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO TO PROVIDE FOR STOP SIGNS AT THE INTERSECTION OF STRAUB HILL AND WHITE LANE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Politte, for the first reading of Bill #1119. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1119 was read for the first time.

BILL #1120 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO TO PROVIDE FOR STOP SIGNS ON WHITE LANE DRIVE AT ITS INTERSECTION WITH BROOK HILL DRIVE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Politte, for the first reading of Bill #1120. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1120 was read for the first time.

BILL #1133 AMENDS THE PROCEDURES FOR REIMBURSEMENT OF ORDINARY AND TRAVEL EXPENSES FOR EMPLOYEES BY ELIMINATING THE REQUEST TO TRAVEL FORM (FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for the first reading of Bill #1133. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1133 was read for the first time.

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

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for the first reading of Bill #1134. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed. A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to table Bill #1134. A roll call vote was taken with the following results: Ayes - Levinson, Hurt, Cullen. Nays - Hilbert, Streeter, Politte, Tilley. Mayor Leonard declared the motion failed. Bill #1134 was read for the first time.

BILL #1135 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN WILDHORSE SPRINGS PLAT 2 LOCATED IN THE CITY OF CHESTERFIELD (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL - **FIRST AND SECOND READINGS**)

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill #1135. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1135 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hurt, for a second reading of Bill #1135. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1135 was read for the second time. A roll call vote was taken for passage and approval of Bill #1135, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1135 approved, passed it and it became **ORDINANCE #1083**.

BILL #1136 RE-ADOPTS ORDINANCE #605 OF THE CITY OF CHESTERFIELD PROVIDING ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS (**FIRST AND SECOND READINGS**)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for the first reading of Bill #1136. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1136 was read for the first time.

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

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #1136. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1136 was read for the second time. A roll call vote was taken for passage and approval of Bill #1136, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1136 approved, passed it and it became **ORDINANCE #1082**.

BILL #1137 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS
 WITHIN WILDHORSE VILLAGE G SUBDIVISION IN THE CITY
 OF CHESTERFIELD (PUBLIC WORKS/PARKS COMMITTEE
 RECOMMENDS APPROVAL - **FIRST READING**)

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill #1137. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1137 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL #1130 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION
 PLAT OF LOT 4 OF BRAEFIELD SUBDIVISION; NORTH SIDE OF
 OLIVE BOULEVARD, EAST OF WEST DRIVE (PLANNING
 COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1130. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1130 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1130. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1130 was read for the second time. A roll call vote was taken for passage and approval of Bill #1130, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1130 approved, passed it and it became **ORDINANCE #1079**.

BILL #1131 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION PLAT OF LOT 10 OF BRAEFIELD SUBDIVISION; NORTH SIDE OF OLIVE BOULEVARD, EAST OF WEST DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, for the first reading of Bill #1131. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1131 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, for a second reading of Bill #1131. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1131 was read for the second time. A roll call vote was taken for passage and approval of Bill #1131, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1131 approved, passed it and it became **ORDINANCE #1080**.

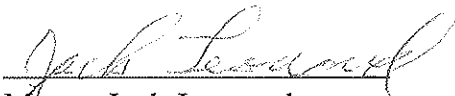
BILL #1132 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION PLAT OF LOTS 21 AND 22 OF BRAEFIELD SUBDIVISION; NORTH SIDE OF OLIVE BOULEVARD, EAST OF WEST DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1132 was read for the first time.

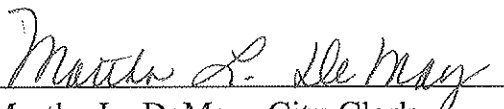
A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1132. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1132 was read for the second time. A roll call vote was taken for passage and approval of Bill #1132, with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1132 approved, passed it and it became **ORDINANCE #1081**.

ADJOURNMENT

Mayor Leonard entertained a motion to adjourn to go into Executive Session (Closed Meeting for the purpose of discussing property acquisition (RSMo 610.021(2)). A motion was made by Councilmember Tilley, seconded by Councilmember Streeter, that the meeting be adjourned. A roll call vote was taken with the following results: Ayes - Hilbert, Levinson, Streeter, Hurt, Politte, Cullen, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 9:05 P.M.


Mayor Jack Leonard

ATTEST:


Martha L. DeMay, City Clerk