City of Chesterfield

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 16052 SWINGLEY RIDGE ROAD AUGUST 2, 1999

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

A roll call was taken with the following results:

PRESENT	ABSENT
Mayor Nancy Greenwood	None
Councilmember Barry Flachsbart	
Councilmember Jane Durrell	
Councilmember Larry Grosser	
Councilmember Barry Streeter	
Councilmember Dan Hurt	
Councilmember Mike Casey	
Councilmember Linda Tilley	
Councilmember Mary K. Brown	

Mayor Nancy Greenwood led the Pledge of Allegiance.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the July 19, 1999, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Flachsbart, to approve the City Council minutes, as corrected. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood thanked the staff who attended and prepared for the Mayor/City Council Retreat on July 31, 1999.

Mayor Greenwood announced that a new sculpture grouping called "Sarah on Serra" was purchased by Ken Capps of Capital Land and was placed at the entrance of Chesterfield Village Apartments. Councilmember Flachsbart made a motion to direct Mayor Greenwood to send a thank you letter to Mr. Capps for the sculpture. Councilmember Streeter seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Greenwood next announced that the Parks and Recreation Department has planned activities and provided announcements of upcoming programs.

COMMUNICATIONS AND PETITIONS

Ted Allison, who resides at 2126 Chesterfield Place, expressed support for the City of Chesterfield to pursue the possibility of becoming a Charter city.

APPOINTMENTS

Mayor Greenwood placed the name of Ron Krusie for re-appointment as member of the Public Works Board of Variance. Councilmember Streeter made a motion to re-appoint Mr. Krusie to the Public Works Board of Variance. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Krusie's term will expire August 21, 2004.

Mayor Greenwood next placed the name of Mary Domahidy for re-appointment as member of the Finance and Administration Citizen's Advisory Committee. Councilmember Brown made a motion to re-appoint Ms. Domahidy to the Finance and Administration Citizen's Advisory Committee. Councilmember Tilley seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Ms. Domahidy's term will expire June 15, 2002.

Mayor Greenwood next placed the name of Joseph Stephans for re-appointment as member of the Finance and Administration Citizen's Advisory Committee. Councilmember Tilley made a motion to re-appoint Mr. Stephans to the Finance and Administration Citizen's Advisory Committee. Councilmember Brown seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Stephan's term will expire June 15, 2002.

Mayor Greenwood next placed the name of Gerald Schwalbe for re-appointment as member of the Board of Adjustment. Councilmember Grosser made a motion to re-appoint Mr. Schwalbe to the Finance and Administration Citizen's Advisory Committee. Councilmember Streeter seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed Mr. Schwalbe's term will expire June 1, 2002.

Mayor Greenwood next nominated Dennis Riggs as a member of the Chesterfield Community Development Corporation to fill the unexpired term of John Nations. Councilmember Streeter made a motion to appoint Mr. Riggs to the Chesterfield Community Development Corporation. Councilmember Grosser seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Riggs' term will expire July 20, 2002.

Mayor Greenwood next nominated Bud Gruchalla as a member of the Architectural Review Board. Councilmember Grosser made a motion to appoint Mr. Gruchalla to the Architectural Review Board. Councilmember Durrell seconded the motion. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Gruchalla's term will expire May 15, 2001.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, made a motion to approve Resolution No. 255 which approves/endorses application for grant funds regarding Highway 340 (Olive Blvd). Councilmember Casey seconded the motion. A voice vote was taken with an affirmative result and the motion was declared passed.

Councilmember Flachsbart next made a motion to approve the agreement regarding lighting for Boone's Crossing. Councilmember Grosser seconded the motion. A voice vote was taken with an affirmative result and the motion was declared passed.

Councilmember Flachsbart next made a motion to approve the recommendation to authorize "R & S" funds to enable future irrigation of the center landscaped island on Highway 340 (Olive Blvd.). Councilmember Durrell seconded the motion. A voice vote was taken with an affirmative result and the motion was declared passed.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for September 15 at 5:30 p.m.

Councilmember Brown made a motion to schedule a 5:00 PM Work Session on August 16, 1999, to discuss the proposed Parks half-cent sales tax to be placed on the ballot. Councilmember Flachsbart seconded the motion. Councilmember Brown reported that Parks, Recreation and Arts Citizens Advisory provided a plan and discussion could include items contained in the plan. Mayor Greenwood encouraged the Councilmembers to thoroughly study the plan and raise any questions to Superintendent of Parks Darren Dunkle or Director of Public Works Mike Geisel. Discussion ensued regarding the date and time for the Work Session. Councilmember Brown called the question. A voice vote was taken with an affirmative result and the motion was declared passed. Councilmember Streeter recommended that staff be directed to dispense information to the public.

Councilmember Flachsbart stated that the revised Executive Summary of the report should be made available to the press and the public. Councilmember Streeter recommended that a copy of the revised Executive Summary be available for review at the Central City Park pool.

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Bill No. 1694 (amends previous ordinances regarding limits for budget transfers) will be read for the second time under the Legislation portion of the agenda. Councilmember Streeter requested that Director of Finance and Administration Jan Hawn provide background information on Bill No. 1694. Ms. Hawn stated that the original ordinance adopted by the City had low budget limits for transfers between line items. The Finance and Administration Committee amended those limits and increased them to make them more realistic. In 1993 when the budget ordinance was changed to state that the entire budget could be amended by a simple majority, the transfers were lowered back to the original limits. Bill No. 1694 reaffirms that everything that has been done to date is correct.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1691 (prohibits open alcohol containers in motor vehicles) and Bill No. 1692 (creates new offense regarding violation of ex parte or full order of protection) will be read for the second time under the Legislation portion of the agenda.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1703 (P.Z. 10-99, Chesterfield Corporate Park) will be read for the first time under the Legislation portion of the agenda.

Councilmember Brown announced that the next meeting of this Committee has been scheduled for August 5 at 5:30 p.m.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1691 PROHIBITS THE PASSENGER IN A MOTOR VEHICLE FROM HAVING OPEN ALCOHOL CONTAINERS IN THAT MOTOR VEHICLE (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1691. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1691 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1691, with the following results: Ayes – Brown, Hurt, Grosser, Streeter, Durrell, Tilley, Flachsbart, Casey. Nays – None. Whereupon Mayor Greenwood declared Bill No. 1691 approved, passed it and it became **ORDINANCE NO. 1537.**

BILL NO. 1692 CREATES A NEW OFFENSE TO BE KNOWN AS A VIOLATION OF AN EX PARTE OR FULL ORDER OF PROTECTION; CREATES A NEW ORDINANCE VIOLATION RELATING TO STALKING AND REPEALS AND REDEFINES THE OFFENSE OF HARRASSMENT BY REPEALING ORDINANCE NO. 60 SECTION 1 AND CREATES A NEW ORDINACE THERETO (**SECOND READING** – PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1692. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1692 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1692, with the following results: Ayes – Hurt, Tilley, Durrell, Casey, Grosser, Streeter, Brown, Flachsbart. Nays – None. Whereupon Mayor Greenwood declared Bill No. 1692 approved, passed it and it became **ORDINANCE NO. 1538.**

BILL NO. 1694 AMENDS ORDINANCE NO. 10, NO. 325 AND NO. 799, WHICH ESTABLISH BUDGETING PROCEDURES FOR THE CITY OF CHESTERFIELD BY INCREASING THE LIMITS FOR BUDGET TRANSFERS (**SECOND READING** – FINANCE AND ADMINISTRATION COMMITTEE)

Councilmember Streeter made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1694. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1694 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1694, with the following results: Ayes – Tilley, Streeter, Flachsbart, Hurt, Durrell, Brown, Casey, Grosser. Nays – None. Whereupon Mayor Greenwood declared Bill No. 1694 approved, passed it and it became **ORDINANCE NO. 1539.**

LEGISLATION – PLANNING COMMISSION

BILL NO. 1703 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE OPEN "M-3" PLANNED INDUSTRIAL DISTRICT "PI"

PLANNED INDUSTRIAL FOR A 20-ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, APPROXIMATELY 820 FEET WEST OF LONG ROAD (P.Z. 10-99, CHESTERFIELD CORPORATE PARK) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1703. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1703 was read for the first time.

Councilmember Streeter made a motion to amend Attachment A, page 6, by removing the second sentence of paragraph C and all of the paragraph "Note." Councilmember Flachsbart seconded the motion. Discussion ensued regarding curb cuts.

Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1703, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1703 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1703, as amended, with the following results: Ayes – Flachsbart, Grosser, Durrell, Hurt, Brown, Tilley, Casey, Streeter. Nays – None. Whereupon Mayor Greenwood declared Bill No. 1703, as amended, approved, passed it and it became **ORDINANCE NO. 1540.**

ADJOURNMENT

A motion was made by Councilmember Streeter, seconded by Councilmember Casey, that the meeting be adjourned to go into Executive Session (closed meeting) to discuss RSMo 610.021(2), regarding property acquisition. A roll call vote was taken with the following results: Ayes - Streeter, Grosser, Tilley, Durrell, Hurt, Flachsbart, Casey, Brown. Nays - None. Mayor Greenwood declared the motion passed. The meeting was adjourned at 8:15 p.m.

Mayor Nancy Greenwood

ATTEST:

Judith A. Naggiar, Deputy City Clerk