



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY JUNE 15, 1998

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

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Allan Sheppard
Councilmember Barry Streeter
Councilmember Larry Grosser
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown

ABSENT

Councilmember Linda Tilley

The Pledge of Allegiance was led by Girl Scout Troop #3167, #310 and #3831 from Highcroft Ridge and Carmen Trails Schools: Katie Baker, Maureen Willmann, Ashley Cooper and Katie Nicholson. Also in attendance was Troop Leader Pam Nicholson.

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

APPROVAL OF MINUTES

The minutes of the June 1, 1998, City Council meeting were submitted for approval. A motion was made by Councilmember Grosser, seconded by Councilmember Brown, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nancy Greenwood placed the name of Douglas R. Beach in nomination for re-appointment as City Attorney, per Resolution No. 235. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, to adopt Resolution No. 235 which re-appoints Douglas R. Beach to a 4-year term as City Attorney for the City of Chesterfield. Councilmember Sheppard requested that the Finance and Administration Committee re-evaluate the compensation provided to the City Attorney. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Beach's term will expire June 15, 2002.

Mayor Greenwood next placed the name of Rick Brunk in nomination for re-appointment as Municipal Judge, per Resolution No. 236. A motion was made by Councilmember Hurt, seconded by Councilmember Grosser, to adopt Resolution No. 236 which re-appoints Rick Brunk to a 4-year term as Municipal Judge for the City of Chesterfield. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Brunk's term will expire June 30, 2002.

Mayor Greenwood stated that she was holding her nomination of the appointment of Larry Wadsack to Prosecuting Attorney, per Resolution No. 237, until the next meeting. This will provide City Council the opportunity to contact Mr. Wadsack prior to the next Council meeting.

Mayor Greenwood next placed the name of Victoria Sherman in nomination as a member of the Planning Commission, to replace Linda McCarthy. A motion was made by Councilmember Grosser, seconded by Councilmember Streeter, to appoint Victoria Sherman as a member of the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Sherman's term will expire June 1, 2002.

Mayor Greenwood next placed the name of Rachel Nolen in nomination as a member of the Planning Commission, to replace Dave Dalton. A motion was made by Councilmember Brown, seconded by Councilmember Flachsbarth, to appoint Rachel Nolen as a member of the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Nolen's term will expire June 1, 2002.

Mayor Greenwood next placed the name of Stephanie Macaluso in nomination as a member of the Planning Commission. A motion was made by Councilmember Brown, seconded by Councilmember Flachsbarth, to appoint Stephanie Macaluso as a member of the Planning Commission, to replace Rick Bly. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Macaluso's term will expire June 1, 2002.

Mayor Greenwood next recognized former Planning Commissioner Linda McCarthy for her service on the Commission for the past four years.

COMMUNICATIONS AND PETITIONS

Mike Doster, former Municipal Court Judge, expressed his support for the Municipal Court and urged City Council to carefully consider all appointments to the Court.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1552, regarding the transfer of escrows from St. Louis County, will be read for the second time under the “Legislation” portion of the agenda.

Councilmember Flachsbart next reported that Bill No. 1574, regarding the special cash escrow in lieu of sidewalks in Twin Estates at Meadowbrook, will be read for the first time under the “Legislation” portion of the agenda.

Councilmember Flachsbart made a motion to amend the agenda to permit the first and second reading of Bill No. 1577, regarding the installation of fire hydrants in Wildhorse Springs Plat 2 subdivision. The motion was seconded by Councilmember Hurt. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for June 23 at 5:30 p.m.

Public Health and Safety Committee

Councilmember Larry Grosser, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1576, regarding the four-way stop sign at the intersection of Terrimill Terrace and Sycamore Drive, will be read for the first time under the ““Legislation”” portion of the agenda.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1570, P.Z. 20 & 21-95, Premier Development Corporation (Windridge Estates), Bill No. 1572, P.Z. 26-93, Glenn Novack/Redia McGrath (The Wedge), and Bill No. 1573, boundary adjustment (Chesterfield Baptist Church) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for July 9 at 5:30 p.m.

Finance and Administration Committee

Councilmember Allan Sheppard, Vice Chairperson of the Finance and Administration Committee, reported that Bill No. 1575, regarding condemnation of property in the Chesterfield Valley, will be considered for adoption under the “Legislation” portion of the agenda.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring announced that the Government Center will be closed on Friday, July 3 in observance of Independence Day.

Mr. Herring reported that he is recommending a transfer of \$35,000 from the Levee-Drainage Fund Reserves, which currently total approximately \$165,000. The budget transfers are being proposed to cover current and anticipated electrical utility charges for the operation of pumps in the Chesterfield Valley until they are turned over to the Levee District, the cost to purchase and install concrete manhole risers on the pumps located north of Highway 40 and the cost of installing an overflow structure riser, which is too large and cumbersome for City employees to install. A motion was made by Councilmember Casey, seconded by Councilmember Brown, to approve the transfer of \$35,000 from the Levee-Drainage Fund Reserves to cover costs associated with the pumps in Chesterfield Valley as stated above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Unum, the City's current provider for long-term disability insurance coverage, notified the City of their intention to raise their rates for the coming year. As a result, bids were sought for the provision of long-term disability insurance coverage for all employees. The lowest and best bid was submitted by Standard Insurance Company, totaling \$.48/\$100 of payroll. This bid is actually \$.05/\$100 of payroll less than the new rates proposed by Unum. Mr. Herring joined with Director of Finance and Administration Jan Hawn in recommending approval of the bid submitted by Standard Insurance Company, at a cost of \$.48/\$100 of payroll. A motion was made by Councilmember Flachsbart, seconded by Councilmember Grosser, to accept the bid submitted by Standard Insurance Company, at a cost of \$.48/\$100 of payroll, for the provision of long-term disability insurance coverage for all full-time employees. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the City has received two liquor license applications. One is from Crazy Fish, located at 16125 Chesterfield Parkway South, to sell all kinds of intoxicating liquor by the drink and Sunday sales. The fee for this license is \$700. The application has been reviewed and approved by the Police and Planning Departments. A motion was made by Councilmember Grosser, seconded by Councilmember Brown, to approve the liquor license to Crazy Fish. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The other application was submitted by Amoco Oil Company, located at 110 Long Road, to sell beer in the original packages and Sunday sales. The fee for this license is \$322.50. The application was reviewed and approved by the Police and Planning Departments. A motion was made by Councilmember Grosser, seconded by Councilmember Casey, to approve the liquor license to Amoco Oil Company. Councilmember Sheppard indicated that he was voting "No" to liquor license requests for establishments that are not considered restaurants or restaurants/bars. A voice vote was taken with an affirmative result (Councilmember Sheppard voted "No") and the motion was declared passed 6 - 1.

NEW BUSINESS

Councilmember Streeter made a motion that the City give a prorated refund (25%) to residents who have purchased swimming pool passes for the summer season, since the pool opening has been delayed. The motion was seconded by Councilmember Flachsbart. The pool is scheduled to open Saturday June 27. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL NO. 1552 APPROVES THE ASSIGNMENT OF SUBDIVISION DEVELOPMENT DEPOSITS PREVIOUSLY DEPOSITED WITH ST. LOUIS COUNTY, MISSOURI TO THE CITY OF CHESTERFIELD FOR SUBDIVISIONS NOW LOCATED WHOLLY WITHIN THE CITY OF CHESTERFIELD (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL – **SECOND READING**)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for a second reading of Bill No. 1522. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1552 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1552, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1552 approved, passed it and it became **ORDINANCE NO. 1422.**

BILL NO. 1574 AMENDS ORDINANCE NO. 1184, BY PROVIDING FOR A SPECIAL CASH ESCROW IN LIEU OF CONSTRUCTING THE REQUIRED SIDEWALK ALONG LOT NO. 1 OF TWIN ESTATES AT MEADOWBROOK (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL – **FIRST READING**)

A motion was made by Councilmember Flachsbart, seconded by Councilmember Streeter, for the first reading of Bill No. 1574. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1574 was read for the first time.

BILL NO. 1577 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN WILDHORSE SPRINGS PLAT 2 SUBDIVISION LOCATED WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Flachsbart, seconded by Councilmember Streeter, for the first reading of Bill No. 1577. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1577 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, for a second reading of Bill No. 1577. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1577 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1577, with the following results: Ayes - Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1577 approved, passed it and it became **ORDINANCE NO. 1423.**

BILL NO. 1575 AUTHORIZES THE CITY OF CHESTERFIELD TO INITIATE CONDEMNATION PROCEEDINGS TO ACQUIRE PROPERTY IN THE CHESTERFIELD VALLEY AREA (FINANCE AND ADMINISTRATION COMMITTEE – **FIRST AND SECOND READINGS**)

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for the first reading of Bill No. 1575. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1575 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, 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 an affirmative result (Councilmember Sheppard voted “No”) and the motion was declared passed.

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for a second reading of Bill No. 1575. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1575 was read for the second time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Sheppard, to amend Bill No. 1575 to have it apply only to property for which the title is in question. A voice vote was taken with a negative result (Councilmembers Flachsbart and Sheppard voted “Yes”) and the motion was defeated (2 – 5). A roll call vote was taken for passage and approval of Bill No. 1575, with the following results: Ayes - Streeter, Grosser, Hurt, Casey, and Brown. Nays - Flachsbart, Sheppard. Whereupon Mayor Greenwood declared Bill No. 1575 approved, passed it and it became **ORDINANCE NO. 1424**.

BILL NO. 1576 AMENDS ORDINANCE NO. 35, SCHEDULE VI. OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A FOUR-WAY STOP SIGN AT THE INTERSECITON OF TERRIMILL TERRRRACE AND SYCAMORE DRIVE THERETO (PUBLIC HEALTH AND SAFETY COMMITTEE – **FIRST READING**)

A motion was made by Councilmember Grosser, seconded by Councilmember Brown, for the first reading of Bill No. 1576. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1576 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1570 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1092 FOR A NEW AMENDED ORDINANCE RELATING TO A PLANNED ENVIRONMENT UNIT (PEU) PROCEDURE IN THE “R-1” ONE ACRE RESIDENCE DISTRICT AND “FPR-1” FLOOD PLAIN “R-1” ONE ACRE RESIDENCE DISTRICT LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD, WEST OF LONG ROAD (P.Z. 21-95, PREMIER DEVELOPMENT CORPORATION – WINDRIDGE ESTATES) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1570. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1570 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for a second reading of Bill No. 1570. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1570 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1570, with the following results: Ayes - None. Nays - Flachsbar, Sheppard, Streeter, Grosser, Hurt, Casey, and Brown. Whereupon Mayor Greenwood declared Bill No. 1570 **DEFEATED**.

BILL NO. 1572 **AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 854 AND REPEALS CITY OF CHESTERFIELD ORDINANCE NO. 959 AND APPROVES A NEW AMENDED ORDINANCE RELATING TO A “C-8” PLANNED COMMERCIAL DISTRICT; NORTH SIDE OF OLIVE STREET ROAD AT CHESTERFIELD AIRPORT ROAD (P.Z. 26-93, GLENN NOVACK/REDIA McGRATH – THE WEDGE) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)**

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1572. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1572 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for a second reading of Bill No. 1572. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1572 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1572, with the following results: Ayes - Flachsbar, Sheppard, Streeter, Grosser, Hurt, Casey, and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1572 approved, passed it and it became **ORDINANCE NO. 1425**.

BILL NO. 1573 **APPROVES A BOUNDARY ADJUSTMENT PLAT FOR TWO TRACTS OF LAND BEING PARCEL C-111 AND A TRACT OF LAND IN U.S. SURVEY 415, TOWNSHIP 45 NORTH-RANGE 4 EAST; SOUTH SIDE OF MISSOURI STATE HIGHWAY 64, EAST OF CHESTERFIELD PARKWAY SOUTH (PLANNING COMMISSION RECOMMENDS APPROVAL)**

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, for the first reading of Bill No. 1573. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1573 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Brown, for a second reading of Bill No. 1573. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1573 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1573, with the following results: Ayes -

Flachsbart, Sheppard, Streeter, Grosser, Hurt, Casey, and Brown. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1573 approved, passed it and it became **ORDINANCE NO. 1426**.

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. A motion was made by Councilmember Brown, seconded by Councilmember Grosser, 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 7:55 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk