

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, MAY 18, 1992

The meeting was called to order at 7:10 P.M.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Jack Leonard
Councilmember Betty Hathaway
Councilmember Nancy Greenwood
Councilmember Susan Clarke
Councilmember Ed Levinson
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Linda Tilley

Councilmember Dick Hrabko

The Pledge of Allegiance was led by Girl Scout Troop #2725 from Shenandoah School: Michelle Gillanie, Alice Hollister, Amber McMillan, Rebecca Glaspie and Allison Hill. Also in attendance was Troop Leader Twyla Hollister.

Rabbi Howard Kaplansky from United Hebrew Congregation led the City Council in prayer.

The minutes of the May 4, 1992, meeting were submitted for approval. A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to approve the minutes. Councilmember Clarke made a motion to amend the minutes, Page 4 second to last paragraph, adding after "City's current stormwater policy", the wording "by a vote of 6 - 2, with Councilmembers Clarke and Levinson voting "No". This motion was seconded by Councilmember Levinson. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed. A voice vote was then taken to approve the minutes, as amended, with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Rabbi Aaron Winter, who resides at 227 Renaldo Drive, represented the congregation of Tpheris Israel and expressed the desire of his congregation to establish an Eruv district within the City of Chesterfield.

Dr. Leila Redlich, who resides at 501 Glenfield Ridge Court, Chairperson of the Eruv Committee of Tpheris Israel Chevva Kadisha congregation, expressed the desire of this Committee to establish a Eruv district.

Rabbi Howard Kaplansky, who resides at 642 Stablestone Drive, addressed City Council as a resident of the City of Chesterfield and as Senior Rabbi of United Hebrew Congregation and expressed his desire that an Eruv be established for the congregation of Tpheris Israel.

Rosalyn Borg, who resides at 7750 Clayton Road #103, represented the American Jewish Committee - St. Louis Chapter, and expressed her desire for the establishment of an Eruv district.

Mr. George Sabre, who resides at 40 Forestvale Drive, expressed his concerns with the actions of the Metropolitan Sewer District (MSD) and urged City Council to attend MSD meetings and keep abreast of their activities.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard officially welcomed the residents and businesses located in the newly-annexed area into the City of Chesterfield. As of Friday, May 15, 1992, at 12:01 A.M., City services were extended to the newly-annexed area.

Mayor Leonard next placed the name of Charles Kim in nomination to fill the unexpired term of Craig Grantham on the Finance and Administration Citizens Advisory Committee. Mr. Kim's term will expire April 15, 1993. A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to appoint Mr. Kim to the Finance and Administration Citizens Advisory Committee. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next placed the name of Marilyn Ainsworth in nomination to fill the current vacancy on the Board of Adjustment. Ms. Ainsworth currently serves as an Alternate on the Board of Adjustment. Ms. Ainsworth's term will expire June 1, 1997. A motion was made by Councilmember Politte, seconded by Councilmember Hurt, to appoint Ms. Ainsworth to the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next nominated Leon Kravetz to fill Ms. Ainsworth's vacancy as Alternate on the Board of Adjustment. Mr. Kravetz' term will expire June 1, 1995. A motion was made by Councilmember Greenwood, seconded by Councilmember Hathaway, to appoint Mr. Kravetz as Alternate on the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next reported that, with regard to the Redistricting Committee, he has received two (2) nominees from Ward I, as well as a nominee from the newly-annexed area, and two (2) nominees from Ward II. Mayor Leonard urged the Councilmembers from Wards III and IV to submit their nominees as soon as possible. The Committee will be comprised of two (2) individuals from each of the four (4) Wards, a Councilmember from each Ward and one (1) individual selected from the four (4) nominees from the newly-annexed area.

Mayor Leonard announced that two (2) Public Meetings have been scheduled with regard to the City Center. The first meeting will be held June 1, 1992, at 7:00 P.M.; the second meeting will be held June 25, 1992, at 7:00 P.M. The meetings will take place in the Council Chambers. The purpose of these meetings is to provide information to the residents with regard to the City Center Study.

Mayor Leonard next announced that the Missouri Highway Department has scheduled a Public Meeting for May 19, 1992, from 9:00 A.M. to 8:00 P.M., at the Holiday Inn Westport, 1973 Craigshire Drive. The purpose of this meeting is to provide an opportunity for input from municipalities and citizens, with regard to highway project priorities in accordance with existing long-range plans. Mayor Leonard stated that he and members of Staff are scheduled to attend this meeting and present comments with regard to the City's concerns with Highway 40/I-64.

COUNCIL COMMITTEE REPORTS

Planning and Zoning

Councilmember Betty Hathaway, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 686 - 688 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hathaway announced that the next meeting of the Planning and Zoning Committee has been scheduled for May 20, 1992, at 5:30 P.M.

Public Health and Safety

Councilmember Susan Clarke, Chairperson of the Public Health and Safety Committee, reported that Bill #689 has been referred back to Committee for further discussion and review. However, Bill #'s 690 and 691 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next reported that St. Louis County Highway Department has advised that the County had made a decision to erect stop signs on Ladue at Green Trails, thus creating a four-way stop. She thanked Councilmember Hathaway for efforts in pursuing this project.

Councilmember Clarke next reported that the State-wide Police Olympics were being hosted in Chesterfield this year. The event began Friday, May 15 and would continue through May 22nd.

Councilmember Clarke announced that the next meeting of this Committee has been scheduled for June 8, 1992, at 7:30 A.M.

Finance and Administration

Councilmember Dan Hurt, Chairperson of the Finance and Administration Committee, reported that Bill #'s 692 - 694 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hurt next reported that City Attorney Doug Beach is in the process of reviewing the franchise agreement with United Video Cablevision to see what leverage can be implemented to try to "control" future rate increases. The Finance and Administration Committee suggested that a notice be put in the Chesterfield Citizen newsletter to alert residents that United Video makes "antenna service" available at substantially less cost than basic cable. In addition, a letter will be sent to Senator Danforth in support of his efforts to propose legislation with regard to regulating cable TV rate increases.

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

Public Works and Parks Committee

Councilmember Politte, on behalf of Councilmember Dick Hrabko, Chairperson of the Public Works and Parks Committee, announced that the next meeting of this Committee has been scheduled for June 1, 1992, at 11:30 A.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator echoed the "Welcome" made earlier by Mayor Leonard to the businesses and residents in the newly-annexed area. Mr. Herring further reported that all City services had been extended to the annexed area as of May 15, 1992.

City Administrator Herring next reported that bids were recently sought for street sweeping services at an hourly rate. The 1992 Budget contains an allocation of \$15,000 for this service. Services are rendered on an "as needed" basis. No periodic schedule is followed for all City streets, in that the budget does not provide/allow for this type of service. Typically, the service is provided once a month and the sweeper will spend 3 - 5 days in the City taking care of problem areas. The lowest/best bid was submitted by Crown's Curbs for \$45/hour. Mr. Herring joined with Finance Director Jan Hawn and Director of Public Works/City Engineer Bill Hawn to contract with Crown's Curbs for street sweeping services at the hourly rate of \$45.00. A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, to award the contract to Crown's Curbs. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

In addition, a motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, that Staff determine the cost for sweeping all the streets within the City limits each year. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next reported on a variety of liquor license requests, all of which were approved by Police Chief Ray Johnson and Director of Planning Jerry Duepner:

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a temporary liquor license to serve intoxicating liquor by drink, submitted by the St. Louis/Bologna Sister Cities Committee for their Italian Festival scheduled for June 7, 1992, at Faust Park, fee \$10.00. 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 Levinson, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on premise where sold and Sunday sales, fee \$700.00, to the following establishments:

Mama Talayna's, 68 Four Seasons Center
Brett Hull's, 100 Four Seasons Center
Sports Page, 13431 Olive Boulevard
Annie Gunn's, 16806 Chesterfield Airport Road
Summer Palace, 13399 Olive Boulevard
The Hunan Empress, 162-64 Four Seasons Center
K.C. Masterpiece, 16125 Chesterfield Parkway
Chesterfield's, 136 Hilltown Village
Coward's Grill and Pub, 14839 Clayton Road
Four Seasons Country Club, 615 Broadmoor
Brunswick Four Seasons Bowl, 176 Four Seasons Center
Doubletree Hotel, 16625 Swingley Ridge
Chirco's, 14844 Clayton Road
Kriegers Pub and Grill, 1684 Clarkson Road

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on premise where sold, fee \$450.00, to the following establishments:

Hogs Breath Inn, 14147 Olive Boulevard
Massa's Restaurant, 75 Forum Center
Bird N Perch, 609 Cepi Drive

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a license for the retail sale of beer and wine by the drink for consumption on premise where sold and Sunday sales, fee \$355.00, for the following establishments:

Imo's Pizza, 1717 Clarkson Road
Noble Roman's Pizza, 13377 Olive Boulevard
Forest Lake Tennis Club, 1012 Woods Mill Road
Rockhouse, 1637 Clarkson Road

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor in original packages, not to be consumed on the premise where sold, fee \$150.00, to the following establishments:

Dierberg's Four Seasons, 8 Four Seasons Center
Smoke House Market, 16806 Chesterfield Airport Road
Waterway Gas and Wash, 15421 Olive Boulevard
Clarkson Square Pharmacy, 1737 Clarkson Road

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Levinson, seconded by Councilmember Clarke, to approve issuance of a license for the retail sale of beer and light wine in original packages, not to be consumed on premise where sold, fee \$105.00, for the following establishment:

7-Eleven, 13491 Olive Boulevard

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Levinson, seconded by Councilmember Clarke, to approve issuance of a license for the retail sale of wine by the drink for consumption on the premise where sold, fee \$52.50, for the following establishment:

Queatham House Tea Room, 14319 Olive Boulevard

A motion was made by Councilmember Levinson, seconded by Councilmember Clarke, to approve issuance of a license for the retail sale of beer only in original packages not for consumption on premise where sold, fee \$22.50, for the following establishment:

Mobil Mart, 1789 Clarkson Road

Councilmember Hathaway stated that this business has had liquor violations this past year as reported by the Police Department and she did not favor renewing the liquor license. After some discussion, it was agreed that the Police Department should monitor this establishment for a six (6) month period. A voice vote was taken with a result of 6 - 1 (Councilmember Hathaway voting "No") and the motion to issue the liquor license was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the issuance of a temporary license for the Irish Country Fair to be held at Faust Park on June 14, 1992, from 10:00 AM to 10:00 PM, fee \$20.00, for the following organization:

Ancient Order of the Hibernians, 6813 Plateau, St. Louis, MO 63139

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

In response to the petition presented to City Council by the congregation of Tpheris Israel, Councilmember Hathaway made a motion to accept the petition and direct City Attorney Beach to prepare a proclamation and resolution to establish an Eruv, as described in said petition, within the City of Chesterfield. This motion was seconded by Councilmember Greenwood. Much discussion ensued. As a result, a motion was made to amend the main motion by Councilmember Hathaway, seconded by Councilmember Politte, that the boundaries be extended to include the entire City of Chesterfield. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The motion to accept the petition and have Mr. Beach prepare a proclamation and resolution to establish an Eruv within the entire City of Chesterfield was voted on by voice vote, with a unanimous affirmative result, and the motion was declared passed.

LEGISLATION

BILL #690 PROVIDES FOR THE LIGHTING BY ELECTRICITY OF THE STREETS, AVENUES, ALLEYS AND OTHER PUBLIC PLACES IN THE CITY OF CHESTERFIELD BY UNION ELECTRIC

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to suspend the policy to have first and second readings at separate Council meetings. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was then made by Councilmember Clarke, seconded by Councilmember Hathaway, for the first reading of Bill #690. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #690 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #690. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #690 was read for the second time. A roll call vote was taken for passage and approval of Bill #690, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #690 approved, passed it and it became ORDINANCE #678.

Councilmember Clarke next made a motion, seconded by Councilmember Levinson, to transfer funds in the amount of \$8,000 from the Contingency Fund to the appropriate account to cover the cost of the installation and operation for the street lights. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL #691 AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #691. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #691 was read for the first time.

BILL #692 ESTABLISHES ATTENDANCE REQUIREMENTS FOR BOARDS AND COMMITTEES OF THE CITY OF CHESTERFIELD

A motion was made by Councilmember Hurt, seconded by Councilmember Greenwood, for the first reading of Bill #692. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #692 was read for the first time.

BILL #693AMENDS ORDINANCE #217, AS AMENDED BY ORDINANCE #581, OF THE CITY OF CHESTERFIELD TO DELETE EXHIBIT A, MERIT PAY PLAN AND SUBSTITUTE IN LIEU THEREOF A NEW EXHIBIT A, MERIT PAY PLAN REFLECTING NEW PAY LEVELS

A motion was made by Councilmember Tilley, seconded by Councilmember Hurt, to suspend the policy of first and second readings at separate Council meetings. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was then made by Councilmember Hurt, seconded by Councilmember Tilley, for the first reading of Bill #693. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #693 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill #693. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #693 was read for the second time. A roll call vote was taken for passage and approval of Bill #693, with the following results: Ayes - Hathaway, Greenwood, Hurt, Politte and Tilley. Nays - Clarke and Levinson. Whereupon Mayor Leonard declared Bill #693 approved, passed it and it became ORDINANCE #679.

BILL #694AMENDS ORDINANCE #217, OF THE CITY OF CHESTERFIELD TO REVISE THE SALARY ADMINISTRATION MANUAL BY DELETING SECTION 5. OF CHAPTER VI WITH A NEW SECTION 5. OF CHAPTER VI

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for the first reading of Bill #694. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #694 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL #686AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY ADDING TO SECTION 1003.165 OFF-STREET PARKING AND LOADING REQUIREMENTS

A motion was made by Councilmember Hathaway, seconded by Councilmember Clarke, for the first reading of Bill #686. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #686 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, for a second reading of Bill #686. A voice vote was taken with a unanimous affirmative result and the

motion was declared passed. Bill #686 was read for the second time. A roll call vote was taken for passage and approval of Bill #686, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #686 approved, passed it and it became ORDINANCE #680.

BILL #687 AMENDS ORDINANCE #314 OF THE CITY OF CHESTERFIELD TO ALLOW THE SALE OF MOTOR VEHICLES FROM PROPERTY CONTAINING AN OCCUPIED RESIDENCE

A motion was made by Councilmember Hathaway, seconded by Councilmember Clarke, for the first reading of Bill #687. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #687 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, for a second reading of Bill #687. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #687 was read for the second time. Councilmember Clarke expressed her concern that this ordinance was restrictive to some residents and that parking of a vehicle should be permitted in the front of one's own property. A roll call vote was taken for passage and approval of Bill #687, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #687 approved, passed it and it became ORDINANCE #681.

BILL #688 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR SYCAMORE PLACE SUBDIVISION LOT 3 AND LOT 4 OF SYCAMORE PLACE; NORTH SIDE OF TERRIMILL TERRACE, EAST OF SYCAMORE DRIVE

A motion was made by Councilmember Hathaway, seconded by Councilmember Clarke, for the first reading of Bill #688. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #688 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, for a second reading of Bill #688. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #688 was read for the second time. A roll call vote was taken for passage and approval of Bill #688, with the following results: Ayes - Hathaway, Greenwood, Clarke, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #688 approved, passed it and it became ORDINANCE #682.

ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Hathaway, 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 8:38 P.M.

Mayor Jack Leonard _____

ATTEST:

Martha L. DeMay, City Clerk