



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, MAY 16, 1994

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

A roll call was taken with the following results:

PRESENTABSENT

Mayor Jack Leonard	None
Councilmember Colleen Hilbert	
Councilmember Barry Flachsbart	
Councilmember Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Girl Scout Troop #702 from Greentrails Elementary School: Amy Allen, Margie Borges, Karen Ruff, and Crystal Wieberg. Also in attendance were Troop Leaders Sue Allen, Pam Wieberg, and Jackie Ruff.

Reverend Wanki Choi from Korean Full Gospel Church led the City Council in prayer.

The minutes of the May 2, 1994, meeting were submitted for approval. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Jim Breckenridge, who resides at 324 Stonecrest Court, spoke in favor of parks.

Mr. George W. Sabre, who resides at 40 Forestvale Drive, suggested reorganization of the Police Department and Board of Police Commissioners.

INTRODUCTORY REMARKS

Mayor Jack Leonard nominated Mr. Michael Casey, Ward III, to fill the unexpired term of Mr. Walter Scruggs on the Planning Commission. Mr. Scruggs's term expires April 3, 1995. Councilmember Politte made a motion to approve this nomination, which was seconded by Councilmember Levinson. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next nominated Mr. Robert Grant, Ward III, to fill the unexpired term of Mr. Casey, as a member of the Board of Police Commissioners. Mr. Casey's term expires August 15, 1996. Councilmember Politte made a motion to approve this nomination, which was seconded by Councilmember Levinson. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next reported, as information only, the appointment of Ms. Lynn O'Connor, Ward II, to the Chesterfield Beautification Committee, term ending 7/1/96.

Mayor Leonard announced that City Hall would be closed Monday, May 30, 1994, in observance of the Memorial Day holiday. He further announced that the Council will begin the Summer Schedule (June, July and August) of one meeting per month, with Work Sessions at 5:30 p.m. and Council Meetings at 7:30 p.m. The next Council Meetings are scheduled for June 20, 1994; July 18, 1994; and August 15, 1994. In September, Council will resume two meetings per month.

Mayor Leonard stated that even though Council has only six (6) members, ordinances, expenditures or monetary transfers will still require five (5) votes of Council.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, made a motion that recommendations with regard to the Retirement Plan Board of Trustees, be tabled at this time. Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert next made a motion to transfer \$4,214.04 in Community Development Block Grant New Home Improvement Funds back to the Removal of Architectural Barriers Fund. Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert next announced that the date of Tuesday, June 28, 1994, from 6:00 p.m. to 10:00 p.m. was selected for the Strategic Planning Process of City Council.

Councilmember Hilbert next stated that three proposed vacation policy revisions have been made to the Personnel Rules and Regulations Manual, and will require passage of Resolutions #167 and #168 to implement same. Resolution #167 would provide employees with three (3) weeks of vacation earnings by their 5th anniversary date. Resolution #167 also eliminates the 5th week of vacation earnings. Resolution #168 replaces the 5th vacation week with five (5) "long-term service" days. Hourly employees shall have the option of receiving pay for any portion of these five long-term service days per year. Additionally, per Resolution #167, employees would begin earning twenty (20) days vacation per year with the observation of their 9th anniversary date. Councilmember Hilbert made a motion, seconded by Councilmember Tilley, to approve Resolution #167. A roll call vote was taken for passage and approval of Resolution #167, with the following 6-0 results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays -None. Whereupon Mayor Leonard declared Resolution #167 approved. Councilmember Hilbert made a motion, seconded by Councilmember Flachsbart, to adopt Resolution #168, as amended. A roll call vote was taken for passage and approval of Resolution #168, with the following 5-1 results: Ayes - Flachsbart, Hilbert, Levinson, Politte, and Tilley. Nays - Hurt. Whereupon Mayor Leonard declared Resolution #168 approved.

Councilmember Hilbert announced that the next meetings of this Committee have been scheduled for June 1, June 29, July 27, and August 31, 1994, at 5:30 p.m.

Planning and Zoning Committee

Councilmember Dan Hurt, Chairperson of the Planning & Zoning Committee, reported that Bills #'s 930, as amended, 931, 933, 934, 938, and 939 will be considered for adoption under the Legislation portion of the Agenda. If Bill #930 is approved, Bill #932 will not be read.

Councilmember Hurt announced that the next meeting of this Committee is scheduled for June 14, 1994, at 5:30 p.m.

Public Works/Parks

Councilmember Ed Levinson, Chairperson of Public Works/Parks Committee, stated that Bill #900, regarding hours for construction, be read for a second time and be voted upon under the Legislation portion of the agenda.

Councilmember Levinson next made the motion, seconded by Councilmember Politte, that a budget transfer of \$160,000 from the Contingency Fund be made to cover funding of an Asphalt Overlay program this year. Councilmember Hilbert made a motion to amend the motion that the Trustees from the Windemere Subdivision be contacted by the Director of Public Works to determine their support for asphalt overlays within their subdivision. If they agree, that portion of the \$160,000 allotted for work within their subdivision can be spent. If they do not support asphalt overlays within their subdivision, that portion of those funds is to be reallocated by the Public Works/Parks Committee at a future meeting. Councilmember Politte seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion for the amendment was declared passed. Councilmember Levinson next made the motion, seconded by Councilmember Politte that a budget transfer of \$160,000 from the Contingency Fund be made to fund an Asphalt Overlay program, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported that an amendment to the Parkland Dedication Criteria has been proposed. Councilmember Politte stated that the Committee recommends approval of accepting Staff's recommendation, which would require a review of Restrictive Covenants or Indentures for a Subdivision, and verification that the City incur no undue obligations in accepting any such "free" land. Councilmember Politte made a motion, seconded by Councilmember Hilbert, to accept the amendment as stated. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported that the Committee has recommended changes in the Escrow Release Policy. The changes would provide for a full release of escrows for sidewalks and street trees after completion and inspection by the City, prior to acceptance of the improvements by City Council. Councilmember Levinson made a motion, seconded by Councilmember Flachsbart, to approve the Escrow Release Policy Change. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported that the Committee has proposed a recommendation regarding construction of sidewalks (State/County Right-of-Way). This recommendation will allow the City Administrator to enter into maintenance agreements requiring the City to maintain sidewalks in or adjacent to State or County rights-of-way whenever necessary, as sidewalks are constructed in conjunction with developments or public projects. Councilmember Levinson made a motion, seconded by Councilmember Politte, to approve this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported on proposed expenditures regarding highway beautification - Chesterfield Parkway/Batesville Court. Councilmember Levinson discussed the plan to plant pine trees and shade trees at the terminus of Batesville Court where it meets Chesterfield Parkway in an effort to shield the neighborhood. This would cost \$500. Councilmember Levinson made a motion, seconded by Councilmember Tilley, to approve this \$500 expenditure. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported that the Committee recommends a budget transfer for Capital Street Improvement Projects. Councilmember Levinson described the recommendations from his Committee for Capital Street Improvement Projects within the City of Chesterfield. Councilmember Levinson indicated that the Committee had recommended that a base bid of \$1,214,422 be approved with additional funds allocated for Alternate No. 1. These additional funds would total \$350,000. Two contracts will be awarded for all of this work, one to Concrete Design for Project 94-PW-03-A, and the other to Bennish Construction for Project 94-PW-03-B. The total for Project "A", awarded to Concrete Design is \$855,090, and the total for project "B" awarded to Bennish Construction is \$647,009. Councilmember Flachsbart made a motion, seconded by Councilmember Hilbert, to appropriate \$659,000, which would fund alternates No. 1 and No. 2, above and beyond the base bid of \$1,214,422. A roll call vote was taken with the following 4-2 results: Ayes - Flachsbart, Hilbert, Levinson, and Tilley. Nays - Hurt and Politte. The motion failed. City Attorney Doug Beach noted that expenditures require 5 affirmative votes. The original motion made by Councilmember Levinson, seconded by Councilmember Hurt, to transfer \$350,000 from fund reserves which would be added to the \$1,214,422 base bid to fund capital street improvement projects for the coming year, was then voted upon. A roll call vote was taken with a unanimous affirmative result, and the motion was declared passed.

Councilmember Levinson next reported that Committee recommendations have been made with regard to the stormsewer repair project in Ward II. The stormwater problem is in Conway Glen subdivision at the rear of 1305 - 1311 Conway Oaks Drive. Mr. Levinson stated that the Public Works/Parks Committee recommends a cost sharing agreement for 50% of the total repair cost, the City's share not to exceed \$6,500 to be funded from the Storm Sewer Reconstruction account. All work is to be repaired per plans prepared by the homeowners or subdivision Trustees and reviewed/approved by the Director of Public Works. Councilmember Levinson made a motion, seconded by Councilmember Politte, to approve matching funds up to \$6,500 for this project. These funds will only be provided if the property owners involved execute a hold harmless agreement and provide same to the City. Additionally, the property owners involved must secure their own contractor and must prepare their own plans which are to be reviewed in advance by the Engineering Division of the Public Works Department. The Engineering Division will provide technical support in review of this project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson announced the next meeting of this Committee has been scheduled for June 2, 1994 at 7:00 p.m.

Public Health & Safety

Councilmember Linda Tilley, Chairperson of Public Health & Safety Committee, reported that Bill #935 pertaining to a stop sign at Appalachian Trail and Winema, will be read for the first time under the Legislation portion of the Agenda.

Councilmember Tilley next made a motion to authorize removal of a street light located at the intersection of Claymont Estates Drive and Clayton Road, and for the City to pay the cost (\$100) associated with this removal. The motion was seconded by Councilmember Politte. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley indicated that the initial appropriation approved by City Council for \$10,000 to cover the cost of dumpster rental for clean up activities in the Valley had been spent. Councilmember Tilley made a motion to appropriate an additional \$10,000 to cover the cost of dumpster rental within the Chesterfield Valley, with these funds coming from the \$1,000,000 escrow established by City Council for Valley recovery. The motion was seconded by Councilmember Flachsbart. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that Bill #936 allowing for different meeting locations for the Board of Police Commissioners would be voted upon under the Legislation portion of the Agenda.

Councilmember Tilley announced that the next meetings of this Committee have been scheduled for June 2, 1994 at 5:00 p.m., July 6, 1994 at 7:30 p.m., and August 3, 1994, at 7:30 p.m.

Report of the City Administrator

City Administrator Mike Herring stated that the firm of Gilmore & Bell to serve as Bond Counsel have been unanimously recommended by a committee consisting of Karen Irwin from A. G. Edwards, Finance Director Jan Hawn, and himself. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to accept the firm of Gilmore & Bell as Bond

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

City Administrator Herring next read the list of liquor license renewal applications which had been reviewed by both the Planning Department and the Police Department. Councilmember Levinson made a motion, seconded by Councilmember Tilley, to approve the issuance of licenses in the category of intoxicating liquor by the drink, for consumption on the premises and Sunday sales, to the following businesses/locations:

Blayney's Airport Restaurant, 18272 Edison
Casa Gallardo Restaurant, 444 Chesterfield Center
Coward's Grill & Pub, 14839 Clayton Road
Doubletree Hotel & Conference Center, 16625 Swingley Ridge Road
Hunan Empress, 162 Four Seasons Shopping Center
PJ's Bar and Grill, 13373-75 Olive Boulevard
Pasta House Company, 12 Chesterfield Mall
Pizzeria Uno, 15525 Olive Boulevard

A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Herring next recommended the approval under the category of intoxicating liquor by the drink for consumption on the premises (no Sunday), to the following businesses/locations:

Gianfabio Ristorante, 127 Hilltown Village Center
Massa's, 75 Forum Center

Councilmember Levinson made a motion, seconded by Councilmember Tilley, to approve the issuance of these licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next recommended the approval under the category of beer/wine and Sunday sales to the following businesses/locations:

Kent's Deli, 207 Chesterfield Mall
Shermie's Delicatessen, 1637 Clarkson Road

Councilmember Levinson made a motion, seconded by Councilmember Tilley, to approve the issuance of these licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next recommended the approval under the category of intoxicating liquor in the original packages and retail sale on Sunday to the following businesses/locations:

Clarkson Square Pharmacy, 1737 Clarkson Road
Dierberg's Market Place, 1730 Clarkson Road
Dierberg's Four Seasons, 8 Four Seasons Center
National Super Markets, 14885 Clayton Road

Councilmember Levinson made a motion, seconded by Councilmember Tilley, to approve the issuance of these licenses. A voice vote was taken with a unanimous affirmative result and the

motion was declared passed.

City Administrator Herring next stated that the Chesterfield Community Development Corporation (CCDC) is again requesting that City Council authorize and designate the CCDC as the local organization charged with conducting a public hearing in conjunction with the possible issuance of bonds to assist in financing of the development of a location for Midco Products Company in the Chesterfield Valley. This can be done by passage of Resolution #165. Councilmember Levinson made a motion, seconded by Councilmember Hurt, to approve Resolution #165. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next stated that each year City Council is asked to reappropriate funds for outstanding purchase orders from the previous fiscal year ending December 31. Mr. Herring noted that for a variety of reasons, the number and amount of outstanding purchase orders from 1993 is larger than normal. The dollar value of these outstanding purchase orders is \$933,122.76. Funds for these outstanding purchase orders were previously transferred into fund reserves. Mr. Herring noted that authorization needed to be given for City Council to fund those outstanding purchase orders with the following offsetting revenues: \$130,000 from the State Economic Development Grant for levee recertification; \$201,155 some funds to come from St. Louis County for the Long Road outfall structure; and \$601,977 from the unappropriated fund balance. Those revenues total \$933,122.767. Councilmember Levinson made a motion, seconded by Councilmember Hurt, to transfer the funds as stated. A voice vote was taken with a 5-0-1 affirmative result (Councilmember Flachsbart abstained) and the motion was declared passed.

City Administrator Herring next stated that the City recently sought proposals for the purchase of CRS2 and Cold Mix asphalt. Based upon recommendations submitted by Acting Director Public Works/City Engineer Mike Geisel and Director of Finance Jan Hawn, Mr. Herring joined with them in recommending that the bid submitted by Koch Materials Company, for the purchase of CRS2 liquid asphalt be approved, and, additionally, that the bid submitted by Fred Weber for the purchase of Cold Mix asphalt be approved. Councilmember Flachsbart made a motion, seconded by Councilmember Hilbert, to approve the recommendation as stated. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next stated that the City recently sought bids for the purchase of topsoil, sub-soil and mudjack soil, in conjunction with work performed by the Street Department. Staff has been authorized to award bids for items of this nature; unfortunately, only two (2) competitive bids were received. As a result, City Council must formally approve Staff's recommendation to award the bid to the low bidder. Mr. Herring noted that both Mr. Geisel and Ms. Hawn recommend award of the bid for purchase of these materials to Chesterfield Topsoil and Supply. Councilmember Hilbert made a motion, seconded by Councilmember Flachsbart, to approve the recommendation as stated. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next stated that bids were recently sought for street sweeping services. Only one proposal was submitted to the City of Chesterfield. The firm of Contractors and Municipal Sweeping Service Company performed these services for the City in 1993. The current FY1994 Budget includes an appropriation of \$15,000 for street sweeping. The proposal submitted by this company, for one Fall sweeping and one Spring sweeping, totals \$14,850.00. Based on the recommendation of Staff, Mr. Herring recommended that the contract for street sweeping in 1994 be awarded to Contractors and Municipal Sweeping Services Company.

Councilmember Levinson made a motion, seconded by Councilmember Flachsbart, to approve the recommendation as stated. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next stated that bids were recently opened for the purchase of signs and sign hardware. The City received three (3) competitive quotes. As a result, Staff would normally be authorized to select the recipient of this bid award, without City Council approval. However, in this case, both Mike Geisel, Acting Director of Public Works/City Engineer, and Jan Hawn, Finance Director, recommend awarding this contract to the second low bidder, due to delivery problems experienced over the past year with the actual low bidder. Based upon their recommendation, Mr. Herring recommended that the second low bid, submitted by Traffic Control be approved by City Council. Councilmember Levinson made a motion, seconded by Councilmember Flachsbart, to approve the recommendation as stated. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

City Attorney Doug Beach explained that the floor would be open for nominations for President Pro Tem.

Councilmember Alan Politte nominated Councilmember Dan Hurt to fill the position of President Pro Tem, vacated by Councilmember Dick Hrabko. The nomination was seconded by Councilmember Levinson.

Councilmember Barry Flachsbart nominated Councilmember Linda Tilley to fill the position of President Pro Tem, vacated by Councilmember Dick Hrabko. The nomination was seconded by Councilmember Hilbert.

A secret ballot vote was taken, with a 3-3 result (tie vote).

Councilmember Tilley then withdrew her name and placed in nomination Councilmember Dan Hurt. Councilmember Politte made a motion that Council accept the nomination of Councilmember Hurt by acclamation. The motion was seconded by Councilmember Flachsbart. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Dan Hurt thanked Councilmember Hrabko for his service on the Council, and stated that he would be missed by both the Council and the City of Chesterfield.

Mayor Leonard also expressed his thanks to Councilmember Hrabko.

Councilmember Barry Flachsbart requested that the current policy regarding votes in the Work Session rules concerning voting should be referred back to the Finance & Administration Committee for re-consideration. It was the consensus of Council that this would be done.

Councilmember Alan Politte stated he was concerned that Councilmember Hurt would be unable to attend the June 20 meeting, and having only 5 members present could create a problem. Councilmember Politte requested that a new June date be selected where all Councilmembers could be present. After discussion, a date of June 6 was tentatively selected with Work Session at 5:30

p.m. and Council meeting 7:30 p.m.

LEGISLATION

BILL #927AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO (**SECOND READING**)

A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, for a second reading of Bill #927. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #927 was read for the second time. A roll call vote was taken for passage and approval of Bill #927, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #927 approved, passed it and it became **ORDINANCE #908**.

BILL #935AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING PROVISIONS THERETO (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #935. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #935 was read for the first time.

BILL #936AMENDS ORDINANCE #534 OF THE CITY OF CHESTERFIELD REGARDING THE BOARD OF POLICE COMMISSIONERS AND THE LOCATION OF ITS MEETINGS (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #936. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #936 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, 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 Flachsbart, for a second reading of Bill #936. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #936 was read for the second time. A roll call vote was taken for passage and approval of Bill #936, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #936 approved, passed it and it became **ORDINANCE #909**.

BILL #937AMENDS ORDINANCE #35, SCHEDULE XIV OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO (REQUESTED BY ST. LOUIS COUNTY)

This ordinance will prohibit right turns on red from Country Ridge to Baxter Road. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #937. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #937 was read for the first time.

BILL #928 AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A LEASE FOR PROPERTY LOCATED ON LONG ROAD IN THE CITY OF CHESTERFIELD FOR THE PURPOSE OF OUTDOOR VOLLEYBALL COURTS (SECOND READING)

A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbar, for a second reading of Bill #928. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #928 was read for the second time. A roll call vote was taken for passage and approval of Bill #928, with the following results: Ayes - Flachsbar, Hilbert, Levinson, Hurt, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #928 approved, passed it and it became **ORDINANCE #910**.

BILL #900 REPEALS ORDINANCE #642 AS IT RELATES TO COMMERCIAL AND PRIVATE CONSTRUCTION; OPERATION OF HEAVY EQUIPMENT AND IMPLEMENTING A NEW ORDINANCE THEREON (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL - SECOND READING)

A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbar, for a second reading of Bill #900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #900 was read for the second time. A roll call vote was taken for passage and approval of Bill #900, with the following results: Ayes - Flachsbar, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #900 approved, passed it and it became **ORDINANCE #911**.

BILL #929 DIRECTS THE CITY CLERK TO TAKE ACTION TO CALL FOR A SPECIAL ELECTION TO FILL A VACANCY FOR THE POSITION OF CITY COUNCIL IN WARD II (FIRST AND SECOND READINGS)

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, for the first reading of Bill #929. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #929 was read for the first time.

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, 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 Hilbert, seconded by Councilmember Flachsbar, for a second reading of Bill #929. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #929 was read for the second time. A roll call vote was taken for passage and approval of Bill #929, with the following results: Ayes - Flachsbar, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #929 approved, passed it and it became **ORDINANCE #912**.

BILL #940DIRECTS THE CITY CLERK TO TAKE ACTION TO CALL FOR A SPECIAL ELECTION TO FILL A VACANCY FOR THE POSITION OF CITY COUNCIL IN WARD IV (**FIRST AND SECOND READINGS**)

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, for the first reading of Bill #940. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #940 was read for the first time.

A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, 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 Hilbert, seconded by Councilmember Flachsart, for a second reading of Bill #940. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #940 was read for the second time. A roll call vote was taken for passage and approval of Bill #940, with the following results: Ayes - Flachsart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #940 approved, passed it and it became **ORDINANCE #913**.

LEGISLATION - PLANNING COMMISSION

Bill #930 AN ORDINANCE ESTABLISHING A PLANNED ENVIRONMENT UNIT (PEU) IN AN "R-1A" 22,000 SQUARE FOOT RESIDENT DISTRICT FOR A 4.6 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF SCHOETTLER ROAD, NORTH OF CLAYTON ROAD (C.L. FAMILY LAND COMPANY - SCHOETTLER MANOR, P.Z. 6-94). (PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for the first reading of Bill #930. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #930 was read for the first time.

Councilmember Hurt made a motion to amend Bill #930 as follows: Section 5a4 would delete the sentence that reads "The extent of the improvements required in conjunction with this development is to be determined by the Department of Public Works." Inserted to replace that sentence would be "Due to existing stormwater problems within the Georgetown and Scarborough West Subdivisions, the City of Chesterfield is desirous of constructing a stormwater improvement to reroute stormwater tributary to the East side of Schoettler Road, preventing this water from crossing Schoettler Road South of Georgetown Road and North of Westerly Drive. In consideration of the total estimated cost of this improvement, we are requiring contributions from adjacent parcels which contribute stormwater runoff to this area, as they are proposed for development. As a result of the preliminary plan for this parcel, the developer is required to:

- a.Design the stormwater improvements from the South line of the development, extending northwardly in and along the East side of Schoettler Road, crossing Schoettler Road South of Brookhill Lane, and discharging into the open channel, as approved by the St. Louis County Department of Highways and Traffic and the City of Chesterfield, Department of Public

Works.

b.Plans are to be provided to the St. Louis County Department of Public Works in a form that they can bid and administer the project.

c. Construct offsite stormwater improvements to connect at the existing catch basin at Hunters Point Drive."

The motion was seconded by Councilmember Politte. A voice vote was taken with a unanimous affirmative result and the motion for the amendment was declared passed.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for a second reading of Bill #930, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #930 was read for the second time. A roll call vote was taken for passage and approval of Bill #930, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #930 approved, passed it and it became **ORDINANCE #914**.

Bill #931 ASSIGNMENT OF SUBDIVISION ESCROW ACCOUNTS FOR GREENTRAILS WEST AND THE FOREST PLATS 1, 2 AND 3

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for the first reading of Bill #931. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #931 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill #931. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #931 was read for the second time. A roll call vote was taken for passage and approval of Bill #931, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #931 approved, passed it and it became **ORDINANCE #915**.

Bill #933 AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RESUBDIVISION PLAT FOR FALLING LEAVES SUBDIVISION, A SUBDIVISION LOCATED ON THE WEST SIDE OF WILSON ROAD AT FALLING LEAVES DRIVE. (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for the first reading of Bill #933. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #933 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Hilbert, for a second reading of Bill #933. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #933 was read for the second time. A roll call vote was taken for passage and approval of Bill #933, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #933 approved, passed it and it became **ORDINANCE #916**.

BILL #934 AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RECORD PLAT, ESCROW AGREEMENT AND TRUST INDENTURES FOR CHESTERFIELD PINES SUBDIVISION, A SUBDIVISION LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HIGHCROFT DRIVE AND SCHOETTLER ROAD. (PLANNING

COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for the first reading of Bill #934. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #934 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for a second reading of Bill #934. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #934 was read for the second time. A roll call vote was taken for passage and approval of Bill #934, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #934 approved, passed it and it became **ORDINANCE #917**.

BILL #938AN ORDINANCE PROVIDING FOR THE APPROVAL OF A BOUNDARY ADJUSTMENT PLAT FOR LOTS 1 AND 2, BROOKING PARK VILLAGE, A SUBDIVISION LOCATED ON THE WEST SIDE OF OLD WOODS MILL ROAD, NORTH OF CONWAY ROAD.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for the first reading of Bill #938. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #938 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for a second reading of Bill #938. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #938 was read for the second time. A roll call vote was taken for passage and approval of Bill #938, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #938 approved, passed it and it became **ORDINANCE #918**.

BILL #939AN ORDINANCE PROVIDING FOR THE APPROVAL OF AN AMENDED RECORD PLAT FOR WILDHORSE SPRINGS, A SUBDIVISION LOCATED ON THE NORTH SIDE OF WILDHORSE CREEK ROAD, EAST OF THE INTERSECTION OF WILDHORSE CREEK ROAD AND WILSON ROAD.

A motion was made by Councilmember Hurt, seconded by Councilmember Levinson, for the first reading of Bill #939. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #939 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill #939. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #939 was read for the second time. A roll call vote was taken for passage and approval of Bill #939, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #939 approved, passed it and it became **ORDINANCE #919**.

ADJOURNMENT

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, 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 8:45 P.M.

Mayor Jack Leonard _____

ATTEST:

Janice Corbin, Deputy City Clerk