RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT
922 ROOSEVELT PARKWAY, MAY 4, 1992

The meeting was called to order at 7:15 P.M.

A roll call was taken with the following results:

PRESENT	ABSENT
Mayor Jack Leonard	None
Councilmember Betty Hathaway	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft School: Aaron Martin and Andrew Olejarczyk. Also in attendance was Troop Leader Michael Newberry.

Reverend Carlton Norton from St. John's United Church of Christ led the City Council in prayer.

The minutes of the April 20, 1992, meeting were submitted for approval. A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mayor Jack Leonard presented Student Recognition Certificates to the following students for having participated in the St. Louis Regional Science Olympiad: Jon Bistline, Glenn Berk, Megan Wehrmeister, Jerry Ling, Andrew Hwang, Rob Lam, Ryan Steward and Nick Stokes. In addition, Mayor Leonard presented certificates to Laura Back, Justin Der, Randy Motchan and Mark Tilford for participating in the District Math Counts Competition.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard announced the proposed terms of office for the Board of Adjustment Alternates:

John D. Stobbe - June 1, 1992 - June 1, 1993
Martin Rockmore - June 1, 1992 - June 1, 1994
Marilyn Ainsworth - June 1, 1992 - June 1, 1995
Linda McCarthy - June 1, 1992 - June 1, 1996

A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to approve the terms of office for the Board of Adjustment Alternates as listed above. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard presented City Clerk Marty DeMay with a Proclamation in recognition of Municipal Clerks' Week, May 3 - May 9, 1992.

Mayor Leonard reported that he received a letter from Mayor David W. Farquharson of the City of Hazelwood requesting that the Chesterfield City Council consider adopting a resolution with regard to supporting the sale of seventy-two (72) F-15s manufactured by McDonnell Douglas Corporation to Saudia Arabia. A motion was made by Councilmember Hrabko, seconded by Councilmember Politte, to adopt a resolution, based on the resolution from the City of Hazelwood, supporting the sale of these planes to Saudia Arabia. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Resolution #114 was approved by City Council.

COUNCIL COMMITTEE REPORTS

Planning and Zoning

Councilmember Betty Hathaway, Chairperson of the Planning and Zoning Committee, reported that she would serve as Council liaison to the Planning Commission. The Committee voted unanimously to not assign a liaison to the Board of Adjustment, as the liaison does not vote and the Board of Adjustment operates under prescribed procedures.

Councilmember Hathaway next reported that the Committee discussed the need to amend the Sign Ordinance to allow businesses to have a flag with a business name/logo on their property. The Committee directed Director of Planning Jerry Duepner to determine whether or not the Committee has the power to suspend enforcement of regulations. Councilmember Clarke stated that Mr. Duepner has sent letters to alleged violators indicating that the businesses could fly the flags pending the outcome of the decision. City Attorney Doug Beach stated that the Planning Commission has a policy that precludes a petitioner before the Planning Commission, who is in violation of any code section from receiving consideration until the violation has been brought into compliance. A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to direct City Administrator Herring to communicate to the Planning Commission Council's request that they not hold up any request before them due to violations of this code section. It was noted that the Planning Commission is in the process of reviewing the entire Sign Ordinance. A roll call vote was taken with the following results: Ayes - Clarke, Levinson, Hurt, Politte, Hrabko, Tilley. Nays - Hathaway and Greenwood. The motion was declared passed.

Councilmember Hathaway next reported that the Committee also discussed the matter of a recent violation relative to the sale of an automobile on private property. The City Ordinance does not allow for the display of a "For Sale" sign on an automobile on either private or commercial property. The Committee directed Mr. Duepner to propose a revision for the Ordinance to allow the display of "For Sale" signs on automobiles, if the individual owns the automobile and lives at that specific address.

Councilmember Hathaway announced that the next meeting of this Committee has been scheduled for May 6, 1992, 5:30 P.M.

Public Health and Safety

Councilmember Susan Clarke, Chairperson of the Public Health and Safety Committee, announced that the next meeting of her Committee has been scheduled for May 11, 1992, at 12:00 Noon.

Finance and Administration

Councilmember Dan Hurt, Chairperson of the Finance and Administration Committee, reported that the Committee voted unanimously to recommend an amendment to the budget to reflect outstanding purchase orders as of December 31, 1991. A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to approve the budget amendment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that the Committee voted unanimously to recommend an amendment to the FY1992 Budget to reflect expenditures and revenues resulting from the eastern annexation, which takes effect May 15, 1992. A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, to approve the budget amendment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Bill #686 with regard to the hours for solicitation and appears under the Legislation portion of the agenda has been referred to the Public Health and Safety Committee for further review.

Councilmember Hurt next announced the Council liaisons for the following Committees:

Finance and Administration Citizens Advisory Committee - Councilmember Hurt
Citizens Interaction Committee - Councilmember Greenwood
Human Rights Commission - Councilmember Tilley

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for May 11, 1992, at 5:30 P.M.

<u>Public Works/Parks</u>

Councilmember Dick Hrabko, Chairperson of the Public Works/Parks Committee, reported that the Public Works Citizens Advisory Group presented a recommendation to the Public Works/Parks Committee with regard to the proposed reduction of right-of-way from the current 50 ft. wide street to a proposed 40 ft. wide right-of-way, including 5 ft. wide abutting sidewalk/maintenance/utility/roadway widening easements on each side of the 40 ft. wide right-of-way. The Committee endorsed this recommendation. The Council in the Work Session voted unanimously to direct Staff to send a letter to the Planning Commission requesting them to amend the Subdivision Ordinance to reflect the change in the right-of-way.

Councilmember Hrabko next reported that the Public Works Citizens Advisory Group recommended reaffirmation of the City's current stormwater policy. In the Work Session City Council reaffirmed the City's current stormwater policy, by a vote of 6 - 2, with Councilmembers Clark and Levinson voting "No".

Councilmember Hrabko next recognized Councilmember Politte, Council liaison to the Parks, Recreation and Arts Citizens Advisory Committee. Councilmember Politte announced that a "Beat Beethoven 5K Run" has been scheduled for September 19, 1992, in conjunction with the opening of the Chesterfield Parkway. The Mighty Mississippi Concert Band will play Beethoven's Fifth Symphony and the runners will run a distance of 5K around the Chesterfield Parkway. The goal will be to finish before the symphony is over. Following the run, there will be promenade for citizens who desire to walk, ride bikes, roller skate, etc. around the Parkway. Councilmember Hrabko indicated that this proposal had been approved during the Work Session.

Councilmember Hrabko next reported that Vicky Neil, Recreation Activities Coordinator, has indicated that she will not seek to renew her current contract, which expires June 30, 1992. The Committee has recommended that a replacement for Ms. Neil be selected by June 1, 1992, for a seven (7) month contract for a salary of $7,000.00. This was approved by City Council in the Work Session. Representatives from PRACAC will be involved in the hiring process.

Councilmember Hrabko next expressed his concern, as well as that of his Committee, that a major problem with regard to the devastation of trees could occur with the widening of Clarkson/Olive by the Missouri Highway Department. The Committee directed Staff to send a letter to the Missouri Highway Department urging them to take whatever steps are necessary to preserve trees along the entire length of Highway 340 during construction over the next several years. Councilmember Hrabko commented that this letter has already been sent.

Councilmember Hrabko next reported 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 highway project priorities in accordance with existing long-range plans. Mayor Leonard and Staff are scheduled to attend this meeting and present comments with regard to the City's concerns with Highway 40/I-64.
Councilmember Hrabko announced that the next meeting of this Committee has been scheduled for May 1, 1992, at 11:00 A.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the following nine (9) establishments have petitioned for a renewal of their current liquor licenses:

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, has been requested by:

Texaco, 909 Schoettler Road
Dierberg's Market Place, 1730 Clarkson Road

A license for the retail sale of beer and light wine by the drink for consumption on the premise where sold and Sunday sales, fee $355.00, has been requested by:

Diamond Dave's Taco Company, 95 Chesterfield Mall
Kent's Deli & Market, 207 Chesterfield Mall

A license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on the premise where sold and Sunday sales, fee $700.00, has been requested by:

The Pasta House, 12 Chesterfield Mall
Smitty's Food and Drink, 14874-76 Clayton Road
Casa Gallardo, 444 Chesterfield Center
Dillard Department Store, 100 Chesterfield Mall
Pizzeria Uno, 15525 Olive Boulevard

These applications have been reviewed and approved by Chief of Police Ray Johnson and Director of Planning Jerry Duepner. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to approve the liquor license renewals. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the purchase of top soil, sub soil and mudjack soil. The FY Budget contains an allocation of $9,000.00 for this purchase. Mr. Herring noted that Staff would not exceed budgeted amounts. The lowest/best proposal has been submitted by Chesterfield Topsoil for the prices indicated within Ms. Hawn's memo, dated April 21, 1992. (See attached copy) Mr. Herring requested approval of the low bid submitted by Chesterfield Topsoil. A motion was made by Councilmember Greenwood, seconded by Councilmember Hurt, to award the contract to Chesterfield Topsoil for the purchase of top soil, sub soil and mudjack soil. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that official communication has been received from the County Counselor's office informing the City of Chesterfield that the official date for the annexation will be May 15, 1992, at 12:01 A.M. All Departments of the City are ready to provide services to the annexed area as of this date and time. In addition, Mr. Herring stated that he had been recently interviewed by the Chesterfield Journal with regard to the issue of redistricting, once the annexation has taken place. Prior to the redistricting, there needs to be action by City Council to officially place these newly-annexed residents into one of the four existing wards. Mr. Herring indicated that he had commented to the Journal that the most logical ward would be Ward I. In reflecting upon his comments, Mr. Herring realized that no official action by Council had taken place to accomplish this matter. Therefore, a motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, to officially place the newly-annexed residents into Ward I as of May 15, 1992, at 12:01 A.M. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Hathaway made a motion that a letter be sent to the residents of the newly-annexed area welcoming them into the City. The motion was seconded by Councilmember Greenwood. After some discussion, a roll call vote was taken with the following results: Ayes - Hathaway, Greenwood and Tilley. Nays - Levinson, Clarke, Hurt, Politte and Hrabko. The motion was declared defeated.

Councilmember Greenwood made a motion that, as a follow-up to her comments at the last Council meeting, a policy be established to encourage all candidates in the City of Chesterfield, who run for City Council and Mayoral contests, to limit their monetary and in-kind contributions in total to the amount the office pays. The motion was seconded by Councilmember Hathaway. Councilmember Politte made a motion to table this matter for further discussion in the Work Session, following this meeting. Councilmember Hurt seconded the motion. A roll call vote was taken with the following results: Ayes - Levinson, Clarke, Hurt, Politte and Tilley. Nays - Hathaway, Greenwood and Hrabko. The motion was declared passed. This issue will be discussed in the Work Session and brought back the City Council meeting for a final vote.

ADJOURNMENT

A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, that the meeting be adjourned and Council return to the Work Session. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 7:35 P.M.

Mayor Jack Leonard ____________________

ATTEST:

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Martha L. DeMay, City Clerk