

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, APRIL 2, 1990

The meeting was called to order at 7:30 P.M.

A roll call was taken with the following results:

PRESENT

ABSENT

Acting-Mayor Charles W. Fawcett, Jr. None
Councilmember Betty Hathaway
Councilmember Barry Flachsbart
Councilmember June Schroeder
Councilmember Jade Gardner Bute
Councilmember Dan Hurt
Councilmember Doug Hartman
Councilmember Dick Hrabko

The Pledge of Allegiance was led by Cub Pack #803, Den #11, from Shenandoah Valley School: Adam Salzman, Alec Trachtman, Eddie Inchinostro, Brian Gers and Hudson Harris. Also in attendance was Eleonore Salzman Den Leader.

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

The minutes of the March 19, 1990, meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Steve Otto from Michelson Realty Company, 7745 Carondolet, spoke with regard to the proposed business license fees and their potential impact upon apartment complexes. Acting-Mayor Fawcett assured Mr. Otto that the business license for apartment complexes would be based upon the square footage of the office area only.

Mr. Royce Engel, who resides at 135 Ridgecrest Drive, spoke against the Special Meeting of City Council scheduled for April 9, 1990, in order to appoint individuals to the Planning Commission.

Mr. John Stobbe, who resides at 1227 Hidden Oak, addressed the City Council with regard to his opposition to the display of political signs and requested they consider banning these campaign signs.

INTRODUCTORY REMARKS - ACTING-MAYOR CHARLES W. FAWCETT, JR.

Acting-Mayor Fawcett wished everyone good luck with the municipal election being held April 3, 1990.

Acting-Mayor Fawcett next announced the Special City Council meeting scheduled for April 9, 1990, at 6:00 P.M. for the purpose of appointing members to the Planning Commission. Councilmember Flachsbart spoke in opposition to this meeting.

COUNCIL COMMITTEE REPORTS

Planning and Economic Development

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, reported that Bill #'s 434 - 438 will be considered for adoption under the Legislation portion of the Agenda.

Councilmember Hrabko next reported that the Committee had received a request for vacation of an easement on Fontaine Road. This vacation of easement has been received and filed and referred to Staff for a recommendation.

Finance and Administration

Councilmember Hartman, Chairperson of the Finance and Administration Committee, reported that Bill #439 - 443 are scheduled for consideration of adoption under the Legislation portion of the Agenda.

Councilmember Hartman announced that the proposal for business license fees, as well as several other propositions, will be on the June 5, 1990, ballot.

Councilmember Hartman next recognized City Attorney Beach for an update on the sales tax. City Attorney Beach reported that a hearing before the Administrative Review Board will be scheduled within the next 30-45 days, in Jefferson City.

Councilmember Hartman stated that a Proclamation has been created with regard to support for Proposition A, which will appear on the ballot of the April 3, 1990, election. A motion was made by Councilmember Hartman, seconded by Councilmember Bute, to approve this Proclamation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. (See attached)

Public Works/Parks

Councilmember Bute, Chairperson of the Public Works/Parks Committee, read a Proclamation which supports the efforts of the Chesterfield Recycling Committee for their participation in sponsoring the recycling of certain items in celebration of Earth Day. A motion was made by Councilmember Bute, seconded by Councilmember Flachsbarth, to approve this Proclamation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. (See attached)

Councilmember Bute reported that the City of Chesterfield has been informed by St. Louis County Department of Highways and Traffic that preliminary approval has been given to renaming Chesterfield Village Parkway. The new name will be "Chesterfield Parkway North" and "Chesterfield Parkway South". Since all parties have approved this change, appropriate legislation is expected to be passed within the near future.

Councilmember Bute next reported that the Planning and Economic Development Committee has requested that the City Staff work toward developing a stormwater implementation plan in the Chesterfield Valley area. Mr. Jerry Duepner, Director of Planning/Economic Development, and Mr. Bill Hawn, Director of Public Works/City Engineer, have met with St. Louis County Highway officials in an attempt to get St. Louis County to fund the engineering of the implementation plan. Once the stormwater implementation plan has been completed, it would be presented to the Chesterfield Monarch Levy Board for funding consideration.

Councilmember Bute next reported that Bill #427, as amended, will be read for the second time and considered for adoption under the Legislation portion of the Agenda.

Councilmember Bute next reported that upon a recommendation from Acting-Mayor Fawcett, Staff will study the feasibility of the City of Chesterfield assuming responsibility of issuing inspection and occupancy permits, from St. Louis County.

Councilmember Bute next reported that Acting-Mayor Fawcett has recommended that an ordinance be prepared requiring carbon monoxide detectors be installed in all attached dwellings located within the community.

Public Health and Safety

Councilmember Flachsbart reported that Bill #440 and Resolution #86 will be considered for adoption under the Legislation portion of the Agenda.

NEW BUSINESS

Councilmember Hathaway reported that many complaints have been received regarding the proliferation of campaign signs being placed in the right-of-way and announced that the City would remove signs that were in violation of Ordinance #405.

LEGISLATION

BILL #427 PERTAINS TO PUBLIC HEALTH, SAFETY, AND WELFARE; REGULATING STORAGE, COLLECTION, TRANSPORTATION, PROCESSING AND DISPOSAL OF SOLID WASTE; PROVIDING FOR COLLECTION AND DISPOSAL OF SOLID WASTE; PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for a second reading of Bill #427 as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #427, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #427 approved, passed it and it became ORDINANCE #432.

BILL #439 AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A BUSINESS/MERCHANT LICENSE FEE FOR THOSE BUSINESSES COVERED UNDER RSMo 94.110

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #439. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #439 was read for the first time.

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for a second reading of Bill #439. A voice vote was taken with a unanimous affirmative Page 5

result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #439, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - Flachsbart. Whereupon Acting-Mayor Fawcett declared the Bill #439 approved, passed it and it became ORDINANCE #433.

RESOLUTION #84 AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF JUNE 5, 1990,
THE QUESTION OF COLLECTING FEES FOR THE CARRYING ON OF
BUSINESSES IN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the reading of Resolution #84. A voice vote was taken with an affirmative result of 7 - 1 (Councilmember Flachsbart voting no) and Resolution #84 was declared passed.

BILL #440 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON THE
BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A FEE
BY THE POLICE DEPARTMENT OF THE CITY OF CHESTERFIELD
FOR INDIVIDUAL PHOTOGRAPHING

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #440. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #440 was read for the first time.

A motion was made by Councilmember Hartman, seconded by Councilmember Hrabko, for a second reading of Bill #440. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #440, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #440 approved, passed it and it became ORDINANCE #434.

RESOLUTION #85 AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF JUNE 5, 1990,
THE QUESTION OF COLLECTING A FEE FOR PHOTOGRAPHING AT
THE POLICE DEPARTMENT OF THE CITY OF CHESTERFIELD

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the reading of Resolution #85. A voice vote was taken with a unanimous affirmative result and Resolution #85 was declared passed.

BILL #441 REPEALS A PORTION OF ORDINANCE #114 OF THE CITY OF CHESTERFIELD
RELATING TO THE CHARGE FOR A POLICE PATCH

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #441. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #441 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hartman, for a second reading of Bill #441. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #441, with the following results: Ayes - Hathaway, Flachsbarth, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #441 approved, passed it and it became ORDINANCE #435.

BILL #444 AN ORDINANCE AMENDING ORDINANCE #26 AND AUTHORIZING THE CITY CLERK
OF THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF
JUNE 5, 1990, THE QUESTION OF COLLECTING A FEE FOR FALSE
ALARMS

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #444. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #444 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Flachsbarth, for a second reading of Bill #444. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #444, with the following results: Ayes - Hathaway, Flachsbarth, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #444 approved, passed it and it became ORDINANCE #436.

RESOLUTION #86 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON
THE BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A
FEE FOR RESPONDING TO A FALSE ALARM BY THE CITY OF
CHESTERFIELD POLICE DEPARTMENT

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the reading of Resolution #86. A voice vote was taken with a unanimous affirmative result and Resolution #86 was declared passed.

BILL #442 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A FEE FOR THE ISSUANCE OF A TEMPORARY LIQUOR LICENSE

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #442. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #442 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for a second reading of Bill #442. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #442, with the following results: Ayes - Hathaway, Flachsbarth, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #442 approved, passed it and it became ORDINANCE #437.

RESOLUTION #87 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A FEE FOR THE ISSUANCE OF A TEMPORARY LIQUOR LICENSE

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the reading of Resolution #87. A voice vote was taken with a unanimous affirmative result and Resolution #87 was declared passed.

BILL #443 AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF INCREASING THE FEES FOR SIGN VARIANCES; NON-SIGN VARIANCES, SPECIAL USE PERMITS, GRADING PERMIT INSPECTION AND PROJECT INSPECTION; AND COLLECTING A FEE FOR COPIES OF ZONING ORDINANCES; SUBDIVISION ORDINANCES

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #443. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #443 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Hartman, for a second reading of Bill #443. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #443, with the following results: Ayes - Hathaway, Flachsbarth, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Hartman was

not present for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #443 approved,

passed it and it became ORDINANCE #438.

RESOLUTION #88 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF INCREASING THE FEES FOR SIGN VARIANCES AND NON-SIGN VARIANCES; SPECIAL USE PERMITS AND INSPECTION FEES; GRADING PERMITS AND PROJECT INSPECTION

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the reading of Resolution #88. A voice vote was taken with a unanimous affirmative result and Resolution #88 was declared passed. (Councilmember Hartman was not present for the vote)

RESOLUTION #89 AUTHORIZES THE CITY CLERK OF THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF JUNE 5, 1990, THE QUESTION OF COLLECTING A FEE FOR THE SALE OF COPIES OF THE ZONING ORDINANCE AND SUBDIVISION ORDINANCE OF THE CITY OF CHESTERFIELD

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the reading of Resolution #89. A voice vote was taken with a unanimous affirmative result and Resolution #89 was declared passed. (Councilmember Hartman was not present for the vote)

LEGISLATION - PLANNING COMMISSION

BILL #434 AMENDS THE "C-8" DISTRICT ORDINANCE ON THE NORTH SIDE OF SWINGLEY RIDGE DRIVE, EAST OF CHESTERFIELD VILLAGE PARKWAY FOR THE POINTE DEVELOPMENT COMPANY (P.C. 177-86)

A motion was made by Councilmember Hrabko, seconded by Councilmember Flachsbart, for the first reading of Bill #434. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #434 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #434. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and

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approval of Bill #434, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Hartman was not present for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #434 approved, passed it and it became ORDINANCE #439.

BILL #435ACCEPTS THE SUBORDINATION OF THE UNION ELECTRIC EASEMENT FOR WILD HORSE CREEK HEIGHTS

A motion was made by Councilmember Hrabko, seconded by Councilmember Flachsbart, for the first reading of Bill #435. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #435 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #435. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #435, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Hartman was not present for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #435 approved, passed it and it became ORDINANCE #440.

BILL #436APPROVES THE SIDEWALK ESCROW FOR ST. LUKE'S EPISCOPAL-PRESBYTERIAN HOSPITALS (P.C. 12, 13 AND 14-87)

A motion was made by Councilmember Hrabko, seconded by Councilmember Flachsbart, for the first reading of Bill #436. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #436 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #436. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #436, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Hartman was absent for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #436 approved, passed it and it became ORDINANCE #441.

BILL #437PROVIDES FOR THE APPROVAL OF THE RECORD PLAT FOR THE WELLINGTON ESTATES SUBDIVISION

A motion was made by Councilmember Hrabko, seconded by Councilmember Flachsbart, for the first reading of Bill #437. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #437 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #437. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #437, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Flachsbart abstained, Councilmember was not present for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #437 approved, passed it and it became ORDINANCE

#442.

BILL #438 PROVIDES FOR THE APPROVAL OF THE ESCROW AGREEMENT, WARRANTY DEED
AND AMENDED INDENTURE FOR THE WELLINGTON ESTATES
SUBDIVISION

A motion was made by Councilmember Hrabko, seconded by Councilmember Flachsbart, for the first reading of Bill #438. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #438 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #438. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #438, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hrabko and Fawcett. Nays - None (Councilmember Hartman was not present for the vote). Whereupon Acting-Mayor Fawcett declared the Bill #438 approved, passed it and it became ORDINANCE #443.

ADJOURNMENT

A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, 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 8:18 P.M.

Acting-Mayor Charles W. Fawcett, Jr.

ATTEST:

City Clerk