



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY

MARCH 6, 1995

The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

PRESENT

Mayor Jack Leonard
Councilmember Barry Flachsbart
Councilmember Colleen Hilbert
Councilmember Ed Levinson
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Mike Cullen
Councilmember Linda Tilley

ABSENT

Councilmember Bill Devers

The Pledge of Allegiance was led by Girl Scouts representing each of the following Troops: Kaitlin McKee - Troop #145, Greentrails School; Andrea Aston and Lauren Radetic - Troop #145, Incarnate Word; Elizabeth Aston - Troop 2866, Incarnate Word. Also in attendance was District Leader Cindy Radetic.

Reverend Gerald Brundle from Christ Chapel Presbyterian Church led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the February 21, 1995, City Council meeting were submitted for approval. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to approve the minutes. The minutes were amended. A voice vote was taken for approval of the minutes, as amended, with an affirmative result (Councilmember Flachsbart "Abstained") and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Jack Leonard presented a Proclamation to the Girl Scouts representing the Girl Scout Council of Greater St. Louis in recognition of Girl Scout Week.

Mayor Leonard next placed the name of Doris Frazier in nomination for re-appointment to the Human Rights Commission. A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to appoint Doris Frazier to the Human Rights Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Frazier's three-year term expires May 1, 1998.

Mayor Leonard next updated those in attendance with regard to the proposed Butterfly Museum to be built in Faust Park by St. Louis County and its impact on the existing historic village.

Mayor Leonard next announced that due to the Planning Commission's recommendation to approve P.Z. 24-95, Jewish Community Centers Association, it will not be necessary to move the March 20 City Council meeting to an off-site location to accommodate the large number of people who were expected to attend that meeting.

Mayor Leonard recognized Councilmember Colleen Hilbert. Councilmember Hilbert noted that the Chesterfield Fire Protection District had recently concluded negotiations with Dierbergs for a site for their new fire station, near the intersection of Olive and River Valley Drive. Councilmember Hilbert stated that Dierbergs still owns 3.25 acres of land adjacent to River Bend Elementary. The site appears to be ideal for use as parkland in the eastern portion of the City. A motion was made by Councilmember Hilbert, seconded by Councilmember Politte, to pursue consideration of this parcel of land as a possible parkland site. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Paul A. Gusdorf, who resides at 14818 Annasarra Court, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. Richard Baron, who resides at 2375 Claymoor Drive, expressed his support for the J.C.C.A. facility in Chesterfield.

Ms. Evelyn Goldfarb, who resides at 15022 Claymoor Court, expressed her support for the J.C.C.A. facility Chesterfield.

Mr. Mark Zvibleman, who resides at 14024 Cross Trails, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. Ben Samel, who resides at 13545 B Coliseum Drive, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. Archie Karel, who resides at 16815 Crystal Springs Drive, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. Daniel Sabio, who resides at 16806 Meierling Court, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. David Friedman, who resides at 15446 Grantley Drive, expressed his support for the J.C.C.A. facility in Chesterfield.

Mr. Marty Oberman, President of J.C.C.A. and who resides at 11966 Sackston Ridge, thanked everyone involved in the process for getting the J.C.C.A. approved.

Mayor Leonard asked if there were any objections to changing the agenda to consider the J.C.C.A. proposal at this time. No objections were raised, so Mayor Leonard recognized Councilmember Ed Levinson. Councilmember Levinson made a motion to receive and file the report of the Planning Commission. Councilmember Hilbert seconded the motion. City Attorney Beach stated that the "clock" begins to run with the approval of the motion and, if there is no further action taken by Council, the Planning Commission report will be approved and the Conditional Use Permit will correspond to the directions contained within the Planning Commission report. Councilmember Tilley commended those individuals who worked together to get the J.C.C.A. approved, but stated her intention to vote "No" because of her concern that deviation from the normal process for obtaining approval for Conditional Use Permits will set a precedence. A voice vote was taken with an affirmative result (Councilmember Tilley voted "No") and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Finance and Administration

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for March 13, 1995, at 5:30 P.M.

Public Works/Parks

Councilmember Ed Levinson, Chairperson of the Public Works/Parks Committee, reported that Bill #'s 1040 and #1041 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for March 9, 1995, at 7:30 P.M.

Planning and Zoning

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, announced that the next meeting of this Committee has been scheduled for March 9, 1995, at 5:30 P.M.

Public Health and Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 1010, 1043 and 1044 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for March 13, 1995, at 7:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the Chesterfield Community Development Corporation desires to extend its current contract with the City of Chesterfield for the services of Mr. Lee McKinney, which expires April 30, 1995. Mr. Herring explained that Resolution #180, if approved by City Council, would extend the current contract for six (6) months, at the current rate of \$3,500/month, with an expiration date of October 31, 1995. Mr. Herring was asked by Councilmember Hilbert to review the benefits the City has received thus far from the services provided by Mr. McKinney. After additional discussion, a motion was made by Councilmember Hurt, seconded by Councilmember Levinson, to approve Resolution #180. A voice vote was taken with an affirmative result (Councilmember Flachsbart voted "No") and the motion was declared passed.

Mr. Herring next reported that bids had recently been received for the 1995 crack-sealing projects. The low bid was submitted by B & D Asphalt Maintenance, in the amount of \$131,360. The 1995 Budget includes an appropriation of \$200,000 for crack-sealing public streets within the community. Mr. Herring noted that this bid would enable crack-sealing of 31 miles of streets throughout the City. A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to award the bid to B & D Asphalt Maintenance, in the amount of \$131,360 for crack-sealing projects and that the balance of \$68,640 be placed in the Contingency Fund for future projects. 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 printing of four (4) issues of the Chesterfield Citizen newsletter for the coming year. The low bid was submitted by Western Press, totaling \$10,300. The FY1995 budget includes \$24,000 to cover the cost of printing, handling and postage associated with the production of the citizen newsletter. A motion was made by Councilmember Politte, seconded by Councilmember Cullen, to award the bid to Western Press, in the amount of \$10,300, for printing of four (4) issues of the Chesterfield Citizen newsletter. A voice vote was taken with a unanimous affirmative result

and the motion was declared passed.

Mr. Herring next stated that the Missouri Municipal League has requested that municipalities write letters to their State Senators urging them to oppose SB307 which would remove monetary caps on municipal liability for proprietary functions. Much discussion ensued. A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to direct Mr. Herring to write a letter to Senators Flotron and Klarich urging them to oppose SB307. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, Tilley. Nays - Levinson, Cullen. The motion was declared passed.

Councilmember Levinson next noted that he had received a memo from City Administrator Mike Herring, dated February 20, 1995, which indicated that, at renewal this year, the City would realize a savings of \$22,482, due to notification by Physicians Health Plan that the City would not experience a rate increase this year, due to excellent experience over the past 12 months. Councilmember Levinson made a motion to transfer the savings (\$22,482) to the Contingency Fund. The motion was seconded by Councilmember Hilbert. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Levinson commended Mr. Herring for having previously recommended that the City join a health insurance pool for the purchase of this insurance.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL #1010 DEFINES, LICENSES AND REGULATES TOURIST CAMPS, REQUIRING THE REGISTRATION OF GUESTS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF (SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, for a second reading of Bill #1010. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed. Bill #1010 was read for the second time. A roll call vote was taken for passage and approval of Bill #1010, with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, and Tilley. Nays - Levinson and Cullen. Whereupon Mayor Leonard declared Bill #1010 approved, passed it and it became ORDINANCE #1003.

BILL #1040 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN WESTERLY PLACE IN THE CITY OF CHESTERFIELD (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, for a second reading of Bill #1040. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1040 was read for the second time. A roll call vote was taken for passage and approval of Bill #1040, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1040 approved, passed it and it became ORDINANCE #1004.

BILL #1041 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS
 WITHIN STONEBRIAR, PLATS 1 AND 2 IN THE CITY OF
 CHESTERFIELD **(SECOND READING - PUBLIC**
 WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1041. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1041 was read for the second time. A roll call vote was taken for passage and approval of Bill #1041, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1041 approved, passed it and it became ORDINANCE #1005.

BILL #1043 REPEALS ORDINANCE #463 WHICH REGULATES TAXI CABS
 IN THE CITY OF CHESTERFIELD **(SECOND READING -**
 PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS
 APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Cullen, for a second reading of Bill #1043. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1043 was read for the second time. A roll call vote was taken for passage and approval of Bill #1043, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1043 approved, passed it and it became ORDINANCE #1006.

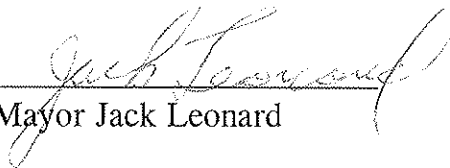
BILL #1044 AMENDS ORDINANCE #35 SCHEDULE IX OF THE
 ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING
 A PROVISION THERETO (ESTABLISHES "NO PARKING" ON
 NORTH OUTER FORTY NEAR BONHOMME CHURCH)
 (SECOND READING - PUBLIC HEALTH AND SAFETY
 COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Cullen, for a second reading of Bill #1044. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1044 was read for the second time. A roll call vote was taken for passage and approval of Bill #1044, with the following results:

Ayes - Flachsbart, Hilbert, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1044 approved, passed it and it became ORDINANCE #1007.

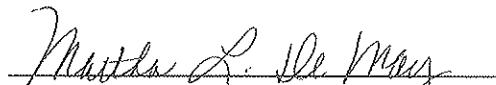
ADJOURNMENT

A motion was made by Councilmember Hilbert, 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 8:00 P.M.



Mayor Jack Leonard

ATTEST:



Martha L. DeMay, City Clerk