

CITY OF CHESTERFIELD

PUBLIC HEALTH & SAFETY COMMITTEE MEETING

MARCH 6, 2019 5:30 pm

CONFERENCE ROOM 102-103

AGENDA

- I. Call To Order
- II. Roll Call
- III. Approval of Minutes

December 12, 2018

IV. Community Forum – Opioid Crisis

The Committee will be provided a status report on the Community Forum on the Opioid Crisis held Wednesday, February 27th.

V. Discussion – Ordinance 2823 regulating the maintaining and keeping of dogs and cats in or on residential property

The Committee will review the wording of restrictions on maintaining and keeping dogs or cats and current ordinance restrictions.

VI. Recent Deer Sampling Survey

The Committee will review the results of the recent deer sampling survey conducted.

VII. Discussion Ordinance 585, Article 5, Section 21-65

The Committee will discuss application and enforcement of the Ordinance on Native American Burial Sites.

- VIII. Other.
- IX. Next meeting
- X. Adjourn

NOTE: Public Health & Safety Committee will consider and act upon the matters listed above and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Notice is hereby given that the Public Health & Safety Committee may also hold a closed meeting for the purpose of dealing with matters relating to one or more of the following: Legal actions, causes of action, litigation or privileged communications between the City representatives and its attorneys (RSMo 610.021 (1) 1994; lease, purchase or sale of real estate (RSMo 610.021 (2) 1994; hiring, firing, disciplining or promoting employees within employee groups (RSMo 610.021 (3) 1994; bidding specification (RSMo 610.021 (11) 1994; and/or proprietary technological materials (RSMo 610.021 (15) 1994.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE PUBLIC HEALTH & SAFETY COMMITTEE MEETING SHOULD CONTACT CITY CLERK VICKI HAAS AT 636-53-6715, AT LEAST FIVE (5) WORKING DAYS PRIOR TO THE MEETING.

MEMORANDUM

DATE:

December 13, 2018

TO:

Mike Geisel, City Administrator

FROM:

Chief Ray Johnson

SUBJECT:

PUBLIC HEALTH & SAFETY COMMITTEE

The Public Health and Safety (PH&S) Committee met on Wednesday, December 12, 2018. Those in attendance included Chairperson Ben Keathley Councilmember Ward II, Councilmember Michael Moore, Ward III, Councilmember Tom DeCampi, Ward IV, Councilmember Dan Hurt, Ward III, Mayor Bob Nation, Chesterfield Prosecuting Attorney Tim Engelmeyer, Chief Ray Johnson, Municipal Court Clerk Nancy Mohr, Captain Michael Thompson, and Captain Cheryl Funkhouser. Councilmember Barry Flachsbart, Ward I was absent from this meeting.

I. Called to order

The meeting was called to order at 5:31 PM by Chairperson, Councilmember Ben Keathley.

- II. Roll Call was completed
- III. Approval of Minutes September 27, 2018

Councilman DeCampi motioned and Councilmember Moore seconded to approve the minutes of the September 27, 2018 meeting. The motion carried 3-0.

IV. Municipal Court – ShowMeCourts Management System

Municipal Court Clerk, Nancy Mohr, reviewed the State mandate that all municipal courts will participate in the newly developed ShowMeCourts system. She informed those present that the City of Chesterfield Municipal Court is currently working toward the implementation of this system. At this time, the target date for the Chesterfield Municipal Court to go live on this program is March 1, 2019. In order for the Chesterfield Municipal Court to officially participate there are required items that need to be completed. A new (or amended) ordinance needs to be approved so that the \$7.00 per case fee be added for each case. This fee goes directly to the State of Missouri and is the funding for the system. The new (or amended ordinance) needs to be approved by February 22, 2019. There is also an agreement that needs to be approved and signed by the February date. After discussion, it was agreed to forward the model ordinance and the agreement to the City Attorney for review and direct the City Attorney to bring the contractual agreement and proposed ordinance to City Council for approval.

V. Deer Survey

Chief Johnson reviewed the deer survey issue and a change that has occurred since the last Public Health & Safety Committee meeting. Originally, money was requested in the



2019 budget to pay for a deer survey. This item was removed from the budget with the directive that the Police Department staff be directed to do the deer survey. At that time, Chief Johnson contact Erin Shank of the Department of Conservation to make sure that no certification is required for the police department to conduct the count. Ms. Shank did suggest that the data should be analyzed by a professional like White Buffalo or consider contracting with the City of Wildwood who has a statistician on their staff who recently analyzed their deer count. In either case, the item would need approval from the City Council for those funds. After much discussion, the Committee members agreed that assistance will be needed to analyze the data.

Councilmember DeCampi voiced his opinion that another count is not necessary because it has already been noted that there is a deer problem in the City. Councilmember Moore noted that the first count is just a starting point and that a second data point is needed before a decision can be made to pursue other actions besides the current bow hunting process. Discussion continued whether to proceed with another deer count. Chairperson Keathley noted that the directive from City Council for the Police Department to do the count stands unless the Committee moves to end the deer count. No motion was made at this time.

At this time Councilmember DeCampi motioned and Councilmember Moore seconded to suspend the rules to change the order of the agenda to allow the Committee to address other issues. The motion carried 3-0.

VI. Community Forum – Opioid Crisis

City Prosecuting Attorney Engelmeyer reviewed a proposed agenda for a Community Forum on the current opioid crisis to be held at Chesterfield City Hall on February 27, 2019. He reported that he has received considerable support and will welcome any other suggestions to add to the program. The upcoming forum will be highly publicized including area schools.

Councilmember Moore voiced his approval and requested that the forum begin at 6:30 PM. Councilmember DeCampi also asked that Mr. Engelmeyer reach out to area Scouts. Mr. Engelmeyer agreed to both requests.

VII. Driving Impaired/Under The Influence – Enforcement Practices/Legalization of Medical Marijuana

Chief Johnson briefed the Committee members on actions being taken by the Police Department in anticipation of the potential impact of medicinal marijuana legalization. Councilmember Keathley voiced support of the Police Department in their efforts to view drivers to ascertain impairment. Chief Johnson noted that certain officers in the department are certified as Drug Recognition Experts. Chief Johnson also reported that the department is currently awaiting rulings from the Department of Health for their guidelines and enforcement recommendations.

VIII. Retail Theft/Shoplifting - Impact on Retailers/Community

The Committee discussed the problems of retail theft in the City. Chief Johnson noted the large retail areas in Chesterfield and reported that the Police Department has a

A meeting will be held in March, 2019 but no date has been set as yet.

XI. Adjournment

Chairperson Keathley adjourned the meeting at 7:37 PM.

CHESTERFIELD POLICE OPLOID SILMINITI

WHEN

February 27th, 2019 6:30pm - 10:00pm

WHERE

City of Chesterfield Council Chambers

690 Chesterfield Pkwy W., Chesterfield, MO 630 f7

FEATURING • Chesterfield Presecutor Tim Engelmeyer • Scott Collier (DEA Diversion Outreach) • Ellis & Patti Fitzwalter (HEAL Stop Heroin) • Jude Hassan (Addiction is ReaD) • Tricina Fisher (Queen of Peace Center) •

WWW.CHESTERFIELD.MO.US 636-537-3000

IV

A

MI

SPOTLIGHT

Keynote JUDE HASSAN From Addiction is Real

Scott Collier - DEA Diversion Outreach

A Hidden in Plain View Exhibit (Parents Only) By Addiction is Real

AGENDA

6:30PM - Opening Remarks 6:50PM - Scott Collier DEA 7:35PM - Break 7:40PM - The Atzwalters

7:40PM - The Fitzwalters 8:10PM - Jude Hassan 8:55PM - Break

9:00PM - Tricina Fisher 9:10PM - Closing Remarks 9:20PM - Hidden in Plain

View Exhibit (Parents Only) 9:20PM - Lobby Meet &

Greet (Participant Tables)

SPONSOR TABLES

DEA Diversion Outreach H.E.A.L.. Stop Heroin Addiction is Real Alliance for Healthy Communities Aviary Recovery Center Queen of Peace Center NCADA CAPY STLCC Wildwood - Behavioral Health Chesterfield PD Chapter 5 Animals and Fowl

Article IV Maintaining and Keeping Dogs and Cats 101

[1] Editor's Note: Former Art. IV, which pertained to trapping of furbearing animals, was repealed 11-1-1993 by §1 of Ord. No. 845.

Sec. 5-41 Number kept or maintained limited.

[Ord. No. 2823, § 1, 12-1-2014]

It shall be unlawful for any person to own, harbor, shelter, keep, control, maintain or possess in or on his/her residential property more than four (4) dogs or six (6) cats or a combination of six (6) dogs and cats, provided that there are no more than four (4) dogs.

Sec. 5-42 Exceptions.

[Ord. No. 2823, §§ 2, 3, 12-1-2014]

- (a) Following the birth of a litter of puppies or kittens, it shall be permissible to allow such litter in or on the residential premises for a period of four (4) months without violating the limitations of this Article.
- (b) The restrictions of this Article shall not apply to the operation of a pet shop, pet spa, veterinarian's office or kennel engaged in the boarding of dogs and/or cats if such pet shop, pet spa, veterinarian's office or kennel has been properly licensed and approved by the City of Chesterfield.

Sec. 5-43 Violations and penalties.

[Ord. No. 2823, § 5, 12-1-2014]

Violation of this section shall be a misdemeanor, punishable by a fine of not less than five dollars (\$5.00) and not more than one thousand dollars (\$1,000.00) or by imprisonment for a period not to exceed three (3) months or by both such fine and imprisonment.

Sec. 5-44 through Sec. 5-51. (Reserved)



Chesterfield Police Memorandum



Date:

February 26, 2019

To:

Ben Keathley, Chairman Public Health & Safety Committee

CC:

Public Health & Safety Committee Members

City Councilmembers Mayor Bob Nation

City Administrator Mike Geisel

From:

Chief Ray Johnson

RE:

Deer Sampling Survey

Attached please find the 2019 Deer Distance Sampling Survey Report. This survey was conducted on January 28th, 29th, 30th, 2019 "in-house" by City of Chesterfield employees, applying the same survey distance, route, and techniques as in the previous White Buffalo, Inc. sampling survey of 2018. The similarity in manner and technique was intentional so as to provide a like comparison with the deer count of the earlier (2018) sampling survey.

The slightly lower, but very comparable, deer count results reflected in this 2019 survey tend to confirm the validity of the deer count reflected in the White Buffalo, Inc. of 2018; I.E., 22.9 deer v. 24.6 deer per square mile. A complete comparison of the data can be found in attachment Item 4 of this Deer Distance Sampling Survey Report.

We have shared these results with Ms. Erin Shank, the Urban Wildlife Biologist of the Missouri Department of Conservation, who observed that this two-survey sampling serves as confirmation of similarity in deer count numbers and is a strong indication that the deer population is not as severely overabundant as earlier suspected. Ms. Shank further suggested that based on the density count in the two reports as reflected, "a logical strategy" would be to continue with our archery hunting program, which she considers to be an appropriate and logical deer culling strategy for our City based on our deer density counts.. Particularly so, if coupled with the continuing encouragement of hunting in those portions of the City considered the "deer population problem" areas.

If however, the City Council desired to be more aggressive, we believe the next incremental step would be to attempt to cull deer on City owned land. We further believe that if Council elects to cull deer from City lands, that it be initially limited to bow hunting, including bait and kill strategies, but that such activity

be limited to off-duty City of Chesterfield employees that meet all City criteria. For obvious reasons, if the police or the public would encounter an armed individual on City lands, we would prefer that it be an individual that we know and can readily identify. In addition to being cost effective, it also provides for a higher level of control as to where and when hunting is authorized. Such a program also allows us to accurately monitor the impacts of the program.

Such an undertaking would require the submission of a "request for approval" by the City to Missouri Department of Natural Resources. While some additional funding will be necessary, it will be very limited as compared to hiring outside harvesting firms. The additional funding would be required to provide for pick-up and processing of those animals not harvested for personal consumption. This would include conveying the deer carcass to a processing plant, processing/dressing, packaging, and delivery of the final product, to a food shelter. Increasing our culling effort in this manner would represent an increased effort with minimal additional costs as compared with annual expenditures of hundreds of thousands of dollars to contract for an outside vendor. Obviously, if our effort proved insufficient, we could always consider taking the next incremental step.

Additionally, while not necessarily recommended, Ms. Shank described two possible alternative strategies, in the event the City desired to pursue a more aggressive approach. Ms. Shank offered an alternative strategies: specifically 1) bait-and-kill and 2) trap and kill culling process. One other noteworthy concern regarding associated costs was provided by Ms. Shank. And, that was her assertion that if a city considers a deer culling endeavor, it should be approached as an ongoing, annual, or semi-annual undertaking, and not a "one-shot" solution to a deer overpopulation issue.

The next PH&S Committee meeting is scheduled for March 6, 2019; this issue will be included as an agenda item for discussion by that Committee. However, if you should have questions or need additional information prior to the PH&S meeting please let me know. Thanks.

ATTACHMENT



City of Chesterfield Deer Distance Sampling 2019





Background

In January of 2018, the City of Chesterfield contracted with White Buffalo, Inc to conduct an estimate of the deer population in the City. White Buffalo personnel employed a technique called "distance sampling" to compile the data for their report. Distance Sampling consists of field observations made of deer in a specific identified transect. The main observations consist of the number of deer observed along this transect and their distance from the transect. The data collected can then be analyzed to determine approximate deer density within the given geographical location.

In January of 2019, the City of Chesterfield decided that a second distance sampling project would be completed to compare to that which was completed by White Buffalo in 2018 to determine changes, if any, to the deer population within the City. In the survey conducted in January 2019, City of Chesterfield employees were used to conduct the survey in place of White Buffalo, Inc personnel as a more cost effective measure to gather this information. The City of Chesterfield employees selected for this project were Officer Andrew Beckerman, Officer Tyler Lewis, Mr. Mike Acker (Parks Department) and Mr. Kyle Brown (Parks Department). These employees met with Erin Shank of the Missouri Department of Conservation and received training, resources, and guidance from her prior to undertaking this project. Ms. Shank has worked closely with both White Buffalo, Inc and other area agencies in the past on deer sampling projects and is very knowledgeable about the procedure of conducting such a project. All of the Chesterfield employees used in the project had backgrounds in deer harvesting and were very familiar with the patterns, behaviors and identification of deer. These attributes proved to be helpful when completing this assignment.

Methods

The City of Chesterfield employees employed the same techniques as were employed by the White Buffalo, Inc personnel when they conducted their survey. These techniques included traveling the same routes, using the same pattern of travel along those routes and dedicating the same amount of time traveled along those routes as were employed by the White Buffalo, Inc personnel in January of 2018. (See attached items 1-3 for maps of those routes) Their efforts mirrored every practice demonstrated by the White Buffalo, Inc personnel with two exceptions: Exception # 1, the White Buffalo, Inc personnel conducted their research over the course of four days, consisting of two 4-hour days and two 8-hour days, due to weather constraints at the time that their survey was conducted. The City of Chesterfield employees conducted their research over the course of three 8-hour days. The end result was the same amount of time spent by both groups, using a different amount of

days. Exception #2, the White Buffalo, Inc survey was conducted during the second week of January in 2018 and the City of Chesterfield survey was conducted during the fourth week of January in 2019.

The City of Chesterfield survey was conducted on January 28-January 30, 2019 between the hours of 10:00 pm – 6:00 am each evening. The survey was conducted using a marked City of Chesterfield Police vehicle, occupied by the four aforementioned City of Chesterfield employees. The employees served the roles of driver, front passenger operating a handheld spotlight, rear driver's side passenger operating a handheld spotlight, and rear passenger side occupant who acted in a data recorder / observer role. The driver's sole focus was safe operation of the vehicle and maintained a speed limit of approximately 10 m.p.h throughout the duration of this project. As the other employees observed deer, the vehicle was brought to a stop perpendicular to the deer to obtain a yardage measurement of the distance to the deer. The yardage was determined using a hand-held range finder. This distance, as well as the number of deer in the grouping, was then recorded.

The weather conditions during the 2019 survey dates were as follows:

- January 28, 2019, air temperature 10 degrees, passing clouds with wind out of West/Northwest at 15-20 m.p.h. A trace amount of snowfall did occur, but no accumulating snow.
- January 29, 2019, air temperature 2 degrees, passing clouds with wind out of the West/Northwest at 18-20 m.p.h.
- January 30, 2019, air temperature 3 degrees, passing clouds with wind out of the North at 2-5 m.p.h.

Results

Over the course of the three days, 111 groups of deer were observed consisting of 252 total deer. The average number of deer per group were 2.27 deer and the average perpendicular distance to the deer observed was 52.85 yards.

Based on this most recent sampling, and applying the same survey distance, route, and techniques formula as in the previous White Buffalo sampling survey, we estimate that there are 428.9 deer v. the White Buffalo estimate of 460.8 total deer population. Further, utilizing the same 95% confidence interval; (14-40 deer/sq. mile) and program formula as White Buffalo in their previous sampling survey, we estimate the were 22.9 deer per sq. mile (428.9 deer divided by 18.73 mile sq. equals 22.9 deer per sq. mile.) This is slightly lower than the 24.6 deer/ sq. mile, based on the total count of 460.8 deer estimate of the White Buffalo Sampling Survey.

Deer Distance Sampling 2019 - Page 4

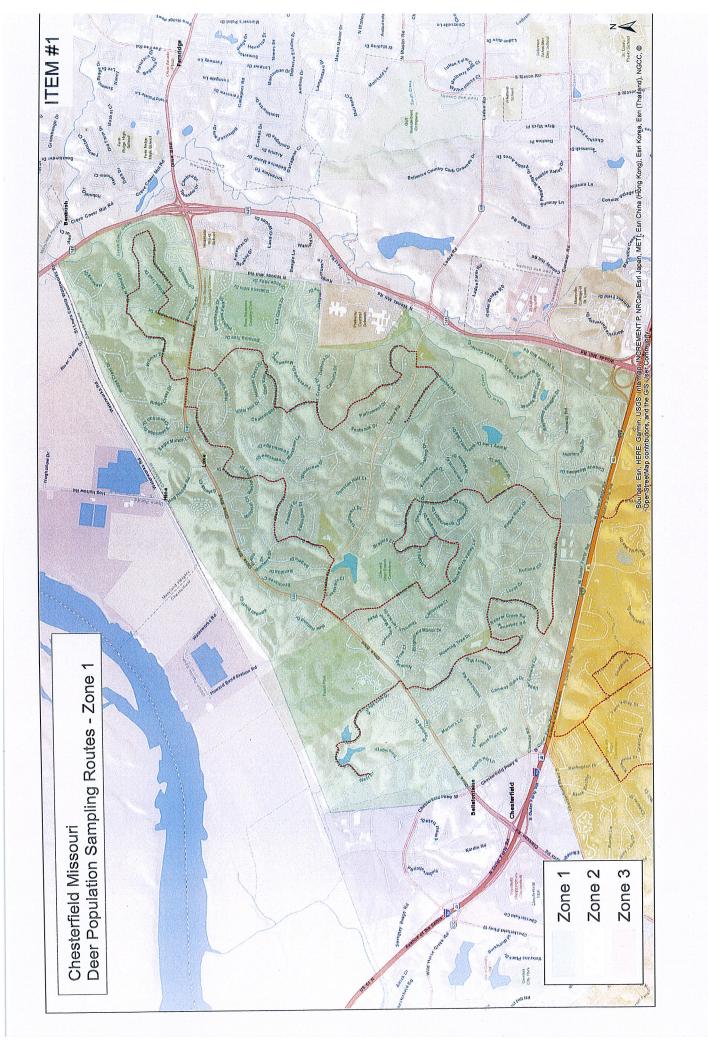
White Buffalo v. City - total count comparison:

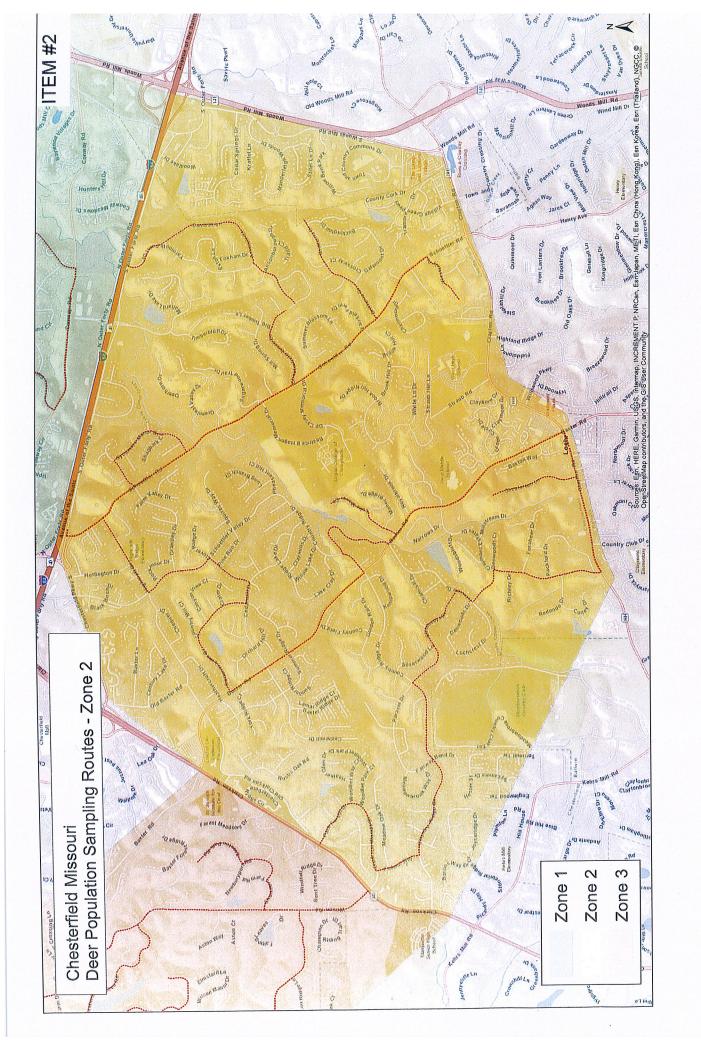
White Buffalo total deer count: 460.8 divided by 18.73 miles equals = 24.6 deer/sq. mile

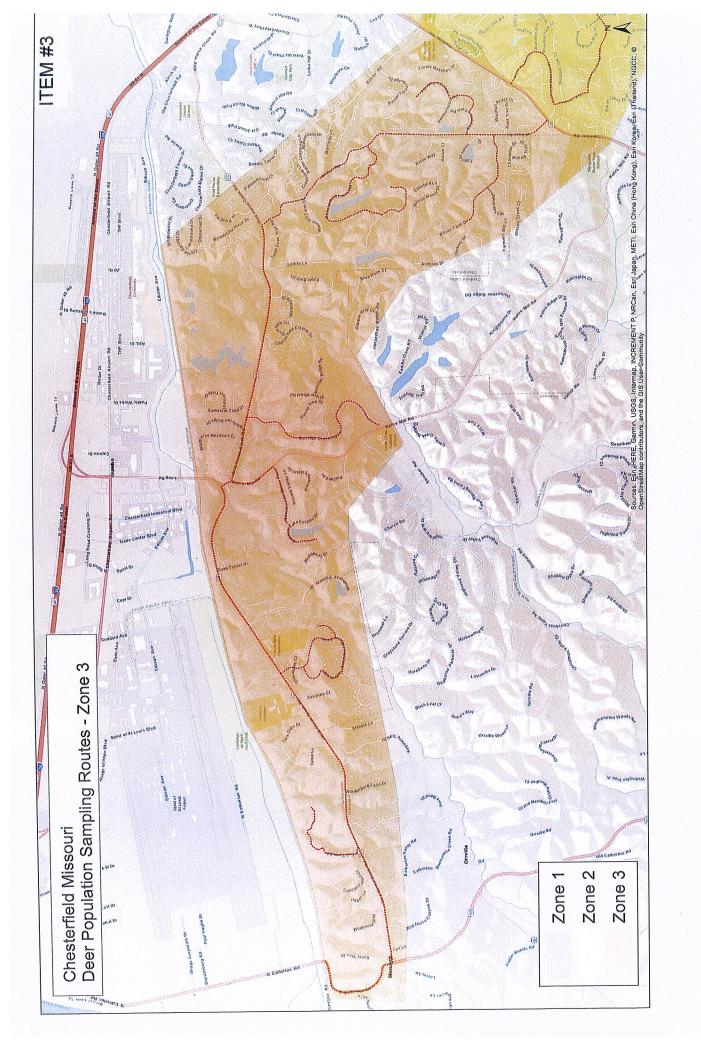
City total deer count: 428.9 divided by 18.73 miles equals = 22.9 deer/sq. mile

These results were very similar to the observations made by the White Buffalo, Inc. personnel during their survey in 2018. The only noticeable variance in the two surveys was the amount of deer observed in Zone 2. The number of deer observed by Chesterfield employees in that zone was 22 less deer overall than previously spotted by the White Buffalo, Inc employees. A complete comparison of the data, including detailed graphs can be found in the attachment labeled Item 4.

Appendix A contains additional detailed information that includes dates, zones, number of deer in each group, locations and other miscellaneous information regarding sex/age of deer observed.







Item #4

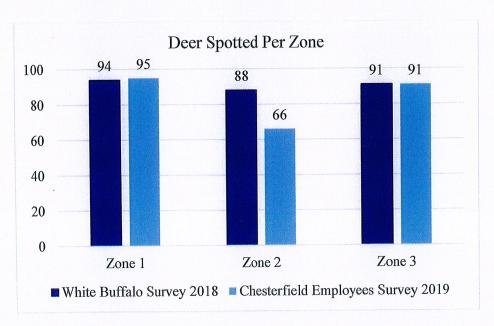
White Buffalo Survey 2018

1/12/2018*	47
1/13/2018	90
1/14/2018	91
1/15/2018*	45
Total	273

Chesterfield Employees Survey 2019

1/28/2019	79
1/29/2019	88
1/30/2019	85
Total	252

	White Buffalo Survey 2018	Chesterfield Employees Survey 2019
Total Deer	273	. 252
Average Deer Per Group	2.53	2.27
Average Perpendicular Distance	55.89 yards	52.85 yards



^{*}partial survey completed on 1/12/18 and 1/15/18

Buck Doe Fawn 2 N 3 2 2 3 2 2 3 Unknown 2 2 3 N 2 4 3 3 Appalachian Trail Appalachian Trail Riverbend Court Ridge Meadow Beaver Creek Spring Brook Spring Brook Glen Hollow Beaver Creek Glen Valley Green Trails Glen Hollow Glen Valley Rainy Lake Rainy Lake Glen Valley Forest Crest Rainy Lake Rainy Lake Rainy Lake Parliament Dinsmoor Dinsmoor Marmont Diplomat Diplomat Dungate White Kaywin White Street 2 West White Burch Valley Appalachian Trail Appalachian Trail Stillhouse Creek Hidden Oaks Greenstrails Stablestone Glen Cove Glen Cove Chateaugay Glen Cove Forest Crest Greentrails Chateaugay Crosstrails Riverbend Parliament Glen Cove Glen Cove Chateaugay Parliament Crosstrails Crosstrails Dinsmoor Ridgetrail Arrowhead Diplomat Arrowhead Tealcrest Corallin Buxford Buxford Buxford Corallin White White White White White 10.9 10.9 11.6 11.8 12.2 12.2 13.3 13.5 7.6 8.6 12.2 11.3 11.6 12.5 10.7 4.6 1.8 2.2 2.2 2.4 9.1 3.9 12 4 00 Perpendicular Distance 53 30 22 64 64 118 901 105 8 10 10 75 74 47 75 10 657 27 22 28 88 21 51 0 10 50 82 45 28 Number of Deer in Group 3 2 3 4 Zone /30/2019 /30/2019 1/30/2019 1/30/2019 1/30/2019 /30/2019 1/30/2019 /30/2019 1/30/2019 /30/2019 1/30/2019 1/30/2019 1/30/2019 /30/2019 1/30/2019 1/28/2019 /28/2019 1/28/2019 1/28/2019 /28/2019 /28/2019 /30/2019 1/30/2019 /28/2019 /28/2019 /28/2019 /28/2019 [/28/2019 APPENDIX /28/2019 /28/2019 /28/2019 /28/2019 /28/2019 /28/2019 /28/2019 /28/2019 1/28/2019 /28/2019 Date

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Carriage Xing	Carriage Xing	Carriage Xing	Carriage Xing	Greystone Manor	Greystone Manor	Greycliff	South Eatherton	Wilson Farm	Craddock Way	Newbury Port	Stenton Path	Stenton Path	Craddock Way	Chesterfield Lakes	Chesterfield Lakes	Carriage Xing	Countryside Manor	Coutnryside Manor	Greystone Manor	Grey Cliff	Wildhorse Creek										
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Sec. 21-65

Vandalizing public, private and abandoned family cemeteries. [1]

[Ord. No. 585, §§ 1 — 3, 6-17-1991; Ord. No. 1365, § 1, 1-21-1998]

(a)

Pursuant to the authority granted to the City of Chesterfield by RSMo. § 214.010, 1990, as amended, it shall be a crime for any individual who knowingly destroys, mutilates, disfigures, defaces, injured or removes any tomb, monument or gravestone, or other structure placed in a public, private, abandoned family cemetery or private burying ground, or any fence railing or other work for the protection or ornamentation of any such cemetery or place of burial of any human being, or tomb, monument or gravestone, memento, or memorial, or other structure aforesaid, or of any lot within such cemetery.

(b)

As used in this section, "abandoned family cemetery or private burying ground" shall include those cemeteries or burying grounds which have not been deeded to the public and in which no body has been interred for at least ten (10) years.

(c)

Any person violating the provisions of this section shall, upon conviction, be punished by a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) or by imprisonment for such a period of time not to exceed ninety (90) days or by both such fine and imprisonment.

[1]

Editor's Note: Ord. No. 585, §§ 1 - 3, adopted June 17, 1991, did not specifically amend the Code; hence, inclusion herein as § 21-65 was at the discretion of the editor.