

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, MARCH 19, 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.
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 Girl Scout Troop #2562, from Incarnate Word School: Maureen Durbin, Beth Bailey, Jenny Hudson, Clarissa Gesmundo, Liz Pauley, Ann Neff, Alison Simeone, Mandy Frost, Gretchen Richonl, Kara Healy, Meredith Bruce, Lindsey Fischer, Kelly Hayden, and Katie Butler. Also in attendance were Troop Leaders Michelle Tischer and Jane Hudson.

Reverend James Rogers from Lord of Life Lutheran Church led the City Council in prayer.

The minutes of the March 5, 1990, Public Hearing meeting, with regard to annexation, were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

The minutes of the March 5, 1990, Public Hearing meeting, with regard to zoning and subdivision ordinances, were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

The minutes of the March 5, 1990, City Council meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

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

Acting-Mayor Fawcett introduced a Proclamation, which acknowledges the City of Chesterfield's appreciation and support for the Kiwanis Club's Second Annual Civic Prayer Breakfast. A motion was made by Councilmember Schroeder, seconded by Councilmember Flachsbart, to approve the Proclamation. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Planning and Economic Development

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, stated that Bill #'s 429 and #430 will be considered for adoption later in the agenda under the Legislation portion.

Councilmember Hrabko next reported that a request for consideration of a grass median along Olive and Clarkson Road had been denied by the State Highway Department, but that the Planning and Economic Development Committee was going to continue to pursue the idea and had instructed the Department of Planning/Economic Development staff to set up a meeting with the Missouri Highway and Transportation Department with suggestions for general locations for a median along Olive/Clarkson.

Councilmember Hrabko announced that the next meeting of his Committee is scheduled for March 21, 1990, at 5:45 P.M.

Finance and Administration

Councilmember Hartman, Chairperson of the Finance and Administration Committee, announced that in response to numerous requests from citizens of our community, the Acting-Mayor and City Council have approved placement of a variety of documents at the Daniel Boone Branch, the Thornhill Branch and the Maryville College Library.

Councilmember Hartman next announced that a press release was being generated to announce a "direct-dial" phone system which will greatly enhance the accessibility of our local government to the citizens of Chesterfield as well as any other individual wishing to transact business with our local government by allowing them to call directly into the various departments of City Government.

Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, reported that Bill #426 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Bute next reported that City Administrator Herring had advised the Committee that St. Louis County had awarded a contract to Fred Weber, Inc. for the construction of the Northeast Quadrant of the Chesterfield Village Parkway (Schoettler Road to Olive Street Road to Conway Road). This work is scheduled to be completed by late 1991.

Councilmember Bute next requested that a first reading only of Bill #427 be made in the Legislation portion of the agenda, to allow for additional review and comment by Council.

Councilmember Bute announced that the next meeting of her Committee is scheduled for March 22, 1990, at 5:15 P.M.

Public Health and Safety

Councilmember Flachsbart, Chairperson of the Public Health and Safety Committee, reported that the St. Louis County Department of Highways and Traffic had proposed to establish medians on Baxter Road, north and south of its intersection with Clayton Road and that the Committee had concurred with this recommendation.

Councilmember Flachsbart next thanked the Telephone Pioneers of America, a group of active and retired employees of AT&T and Southwestern Bell Telephone Company for providing the Chesterfield Police Department with Hug-A-Bears, which are provided free to participating departments, to be given to children, who have been traumatized by an emergency incident.

Councilmember Flachsbart next reported that the Committee had contacted City Attorney Doug Beach to request his assistance in the preparation of an ordinance which would prohibit all solicitation within the rights-of-way, unless otherwise specifically approved by the Chief of Police.

Councilmember Flachsbart stated that City Attorney Doug Beach's assistance had been requested by the Public Health and Safety Committee, with regard to a proposal for an ordinance dealing with the issue of "conflict of interest".

Councilmember Flachsbart next reported on a project concerning a V.I.P. ride-along program with the Chesterfield Police patrol officers, that is designed to acquaint community leaders, civic, fraternal, professional, and church organizations, with a better understanding of the police department's role in the community. The Public Health and Safety Committee voted unanimously to authorize the mailing of a letter to all Trustees within the City of Chesterfield, providing information about this program, when it has been implemented.

Councilmember Flachsbart next stated that Bill #428 will be considered for adoption under the Legislation portion of the Agenda.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Herring reported that the Public Health and Safety Committee had voted unanimously to accept a proposal, from the lowest bidder, submitted by Enterprise Leasing, for a total of \$907.90/month, for the lease of three (3) vehicles to be used by the soon-to-be established Metropolitan Enforcement Group being that the grant obtained by the City of Chesterfield for this purpose provides \$1,350.00/month for leasing of said vehicles. Based upon this bid, Mr. Herring recommended that the Council approve the proposal submitted by Enterprise Leasing, for the lease of three (3) vehicles, for a total of \$907.90/month. A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to approve this proposal. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next stated, as an update, that the City of Chesterfield appeared before the Boundary Commission, at their Public Hearing held Tuesday, March 13, 1990, in the County Council Chambers in Clayton, presenting the City's proposal for annexation of land to the east of the current City limits. Mr. Herring reported that he, along with Director of Planning/Economic Development Jerry Duepner, made formal presentations and were accompanied by Acting-Mayor Fawcett and City Attorney Doug Beach. At this point, the Boundary Commission will be reviewing information submitted, along with any additional information deemed appropriate, for making a final recommendation as to what item or items should be placed on the ballot for consideration by the voters in late 1990.

Mr. Herring next reported that he had authorized and approved a transfer for personnel internal to the City's operation, taking one full-time employee from a full-time position at the front desk and transferring that individual to provide staff support to the Planning Department, which has a tremendous volume of work. Also, because of changes implemented in the phone system, which were detailed by Councilmember Hartman in his report, the front desk can now be manned with just one individual. Mr. Herring recommended a budget transfer of funds from the Administrative Department to the Planning/Economic Development Department to accommodate this transfer of personnel. A motion was made by Councilmember Flachsbart, seconded by Councilmember Hrabko, to approve a budget transfer of funds. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next stated a budget transfer was needed to transfer \$166.00 to the "Home Improvement" portion of the City of Chesterfield's Community Development Block Grant Program, to avoid losing this amount of the total Grant. Mr. Herring recommended that the Council approve the transfer of \$156.00, from the Planning part of the grant and \$10.00 from the Public Service part of the grant, to the category known as "Home Improvement" programs to comply with Federal

regulations concerning use of the funds. A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to approve this budget transfer. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL #426 PERTAINS TO THE ACCEPTANCE OF FORSHEER DRIVE

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for the first reading of Bill #426. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #426 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for a second reading of Bill #426. 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 #426, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #426 approved, passed it and it became ORDINANCE #428.

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 the first reading of Bill #428. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #428 was read for the first time.

BILL #428 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO EXECUTE A CONTRACT ON BEHALF OF THE CITY RELATING TO THE IMPLEMENTATION OF A COOPERATIVE AGREEMENT FOR THE METRO ENFORCEMENT GROUP FOR INTERGOVERNMENTAL POLICE SERVICES

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hrabko, for the first reading of Bill #428. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #428 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hrabko, for a second reading of Bill #428. 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 #428,

with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #428 approved, passed it and it became ORDINANCE #429.

BILL #431AN ORDINANCE TO ANNEX AN UNINCORPORATED AREA WHICH INCLUDES A TRACT OF LAND BEING IN SECTION 7 AND 18, TOWNSHIP 45 NORTH, RANGE 5 EAST AND PART OF SECTION 12 AND 13, TOWNSHIP 45 NORTH, RANGE 4 EAST IN THE UNINCORPORATED AREA OF ST. LOUIS COUNTY WHICH IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF CHESTERFIELD AND COMMONLY KNOWN AS UNITED HEBREW CONGREGATION

BILL #432AN ORDINANCE TO ANNEX AN UNINCORPORATED AREA WHICH INCLUDES A TRACT OF LAND IN SECTION 18, TOWNSHIP 45 NORTH, RANGE 4 EAST AND IN U.S. SURVEY 365 ALSO BEING IN SECTION 18, TOWNSHIP 45 NORTH, RANGE 4 EAST IN THE UNINCORPORATED AREA OF ST. LOUIS COUNTY WHICH IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF CHESTERFIELD AND COMMONLY KNOWN AS MARYVILLE COLLEGE

BILL #433AN ORDINANCE TO ANNEX AN UNINCORPORATED AREA WHICH INCLUDES A TRACT OF LAND BEING PARTLY IN U.S. SURVEY 365 AND PARTLY IN FRACTIONAL SECTION 7, TOWNSHIP 45 NORTH, RANGE 5 EAST IN THE UNINCORPORATED AREA OF ST. LOUIS COUNTY WHICH IS CONTIGUOUS TO THE EXISTING CORPORATE LIMITS OF THE CITY OF CHESTERFIELD AND COMMONLY KNOWN AS ST. LUKE'S EPISCOPAL PRESBYTERIAN HOSPITAL

Acting-Mayor Fawcett and City Attorney Doug Beach commented that valid petitions in protest of a proposed voluntary annexation had been filed with the City of Chesterfield. As a result a motion was made by Councilmember Bute, seconded by Councilmember Flachsbart, to withdraw Bill #'s 431, 432, and 433. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION - PLANNING COMMISSION

BILL #429AMENDS THE PERMITTED USES FOR A "C-8" PLANNED COMMERCIAL DISTRICT FOR PROPERTY ON THE WEST SIDE OF LONG ROAD (P.Z. 1-90, LONG ROAD REALTY VENTURE, INC.)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first

reading of Bill #429. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #429 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #429. 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 #429, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #429 approved, passed it and it became ORDINANCE #430.

BILL #430 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, ESCROW AGREEMENT, WARRANTY DEED AND AMENDED TRUST INDENTURE FOR THE STONEBRIAR PLAT II SUBDIVISION

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #430. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #430 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #430. 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 #430, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Acting-Mayor Fawcett declared the Bill #430 approved, passed it and it became ORDINANCE #431.

ADJOURNMENT

A motion was made by Councilmember, seconded by Councilmember, 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 P.M.

Acting-Mayor Charles W. Fawcett, Jr.

ATTEST:

City Clerk