

## **RECORD OF PROCEEDING**

### **MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, AUGUST 6, 1990**

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

A roll call was taken with the following results:

#### **PRESENT/ABSENT**

Mayor Jack Leonard  
Councilmember Betty Hathaway  
Councilmember Nancy Greenwood  
Councilmember June Schroeder  
Councilmember Jade Gardner Bute  
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: Alec Berger, Adam Lega, David Lega, Jason Bentrup, Keith Andrew. Also in attendance was Troop Leader Tom Smyka.

Bishop Dennis Silva from Church of Latter Day Saints led the City Council in prayer.

The minutes of the City Council meetings on July 16 and July 20, 1990, were submitted for approval. A motion was made by Councilmember Bute, 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**

Mr. Bob Grant, who resides at 1933 Lanchester, Chesterfield, MO 63017, asked the Council to give consideration to changing Bill #482 as it pertains to the location of the MSD easement.

#### **INTRODUCTORY REMARKS**

Mayor Leonard placed the name of Cheryl Lamprecht, Democrat in nomination for the Chesterfield Board of Police Commissioners, to fill the unexpired term of Mr. John Bardgett, who recently resigned, and whose term is scheduled to expire August 15, 1992. A motion was made by Councilmember Hurt, seconded by Councilmember Politte, to accept the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mayor Leonard next nominated Harold Arbeitman, Republican, to replace Mr. Larry Meisel, whose term expires August 15, 1990, as a member of the Board of Police Commissioners. Her term will run until August 15, 1993. A motion was made by Councilmember Hrabko, seconded by Councilmember Schroeder, to accept the nomination. A voice vote was taken with an affirmative result (6 - 1) and the motion was declared passed. Councilmember Greenwood voted "no". Mayor Leonard next placed the name of Mr. Chris Barry, for reappointment to the Public Works Board of Variance for a five (5) year term. His new term expires August 21, 1995. A motion was made by Councilmember Politte, seconded by Councilmember Hurt, to accept the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mayor Leonard next submitted the name of Ms. Millie Woodruff for appointment to the University of Missouri Extension Council to fill the unexpired portion of a three (3) year term, formerly held by Joan Bowers. Her term expires February 28, 1991. A motion was made by Councilmember Schroeder, seconded by Councilmember Bute, to accept the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Leonard next recognized Councilmember Bute. Councilmember Bute announced that City Administrator Mike Herring and his wife, Barbara, were the proud parents of a new son, Stephen Robert Herring, born August 2, 1990.

## COUNCIL COMMITTEE REPORTS

### Planning and Economic Development

Councilmember Dick Hrabko stated Bills #479 - #483 will be considered for adoption under the Legislation portion of the Agenda. These bills have been recommended for approval by the Planning Commission. Councilmember Hrabko next stated that the Planning/Economic Development Committee recommended adoption of Resolution #92, and City Council can approve same via voice vote. A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, to approve Resolution #92. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, to change conditions of P.Z. 3-90 to allow for an eighteen (18) foot high fence along the driving range. A roll call vote was taken for passage and approval of Resolution #92, with the condition contained in attachment "A", as noted above, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None and the motion was declared passed.

Councilmember Hrabko announced that a Public Hearing regarding PZ 6-90, Lenette Realty and Bankshares, Inc. at Clayton/Baxter Road has been scheduled for August 8, 1990, at 6:00 P.M.

Councilmember Hrabko next announced the next meeting of their Committee has been scheduled for August 8, 1990, at 5:30 P.M.

#### Finance and Administration

Councilmember June Schroeder, Chairperson of the Finance and Administration Committee, announced that the next meeting of the Finance and Administration Committee is August 13, 1990, at 7:30 A.M.

#### Public Works/Parks Committee

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee reported that Bill #'s 477, 478 and 487 will be considered for adoption under the Legislation portion of the Agenda. Councilmember Bute informed the Council that the Escrow for Village Green Addition has expired and the Director of Planning/Economic Development is recommending a six (6) month extension of the escrow. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to accept the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Bute next stated that City Administrator Herring will discuss the proposed stormwater repair project in Ward II, under the report of the City Administrator.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for Thursday, August 9, 1990, at 7:30 A.M.

#### Public Health and Safety Committee

Councilmember Dan Hurt, Chairperson of the Public Health and Safety Committee, announced that the next meeting of their Committee has been scheduled for August 14, 1990, at 5:30 P.M. Councilmember Hurt next announced that the City of Chesterfield's Mens Softball game is August 8, 1990 at 7:30 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids had been sought for a Skid Steer Loader. The low bid was submitted by Case Power and Equipment Company. City Administrator Herring recommended, along with Director of Public Works/City Engineer Bill Hawn and Finance Director Jan Kluba, that the City purchase a Case 1840, from Case Power and Equipment Company, for a total price of \$11,639.00 and approve a budget transfer of \$10,000.00 from "Rental Equipment" to "Machinery and Equipment", at no additional cost to the City, as recommended by the Public Works/Parks Committee, in order to purchase the Skid Steer Loader. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to approve the purchase of the Case 1840 and to approve the transfer of funds. A voice vote was taken with a unanimous

affirmative result and the motion was declared passed.

City Administrator Herring next reported that bids had been sought for a two-wheel drive Backhoe/Tractor and that the lowest bid was submitted by Case Power and Equipment Company. The Public Works/Parks Committee recommends the rental of this piece of equipment, at \$10,000.00 for the balance of 1990, and that \$21,760.00 be allocated in next year's budget for the ultimate total purchase of this piece of equipment. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to approve the rental of a two-wheel drive Backhoe/Tractor at \$10,000.00 for the balance of 1990, and to authorize the City Administrator to enter into a contract with Case Power and Equipment Company for the purchase of this equipment in 1991. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next reported that a liquor license renewal had been requested by Hi-Ho-Helium. This application has been reviewed and approved by Chief of Police Ray Johnson and Director of Planning/Economic Development Jerry Duepner. A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, to grant a liquor license to Hi-Ho-Helium, Inc., located at 1749 Clarkson Road, to sell all kinds of intoxicating liquor in the original package. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next reported that bids were sought for the stormwater repair project on Forest Meadows. The low bid was submitted by Fred M. Luth & Son. City Administrator Herring informed the City Council that ultimately there will be no cost to the City but that the project must be completed prior to reimbursement from MSD (\$5,968.86) and collection of Escrows (\$12,118.59). A motion was made by Councilmember Bute, seconded by Councilmember Tilley, to appropriate funds from the Contingency Account in the amount of \$18,087.45 for the stormwater repair project on Forest Meadows. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## LEGISLATION

### BILL #477 PERTAINS TO THE ACCEPTANCE OF LAURENWOOD DRIVE AS A PUBLIC STREET

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for the first reading of Bill #477. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #477 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #477. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #477 was read for the second time. A roll call vote was taken for passage and approval of Bill #477, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt,

Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #477 approved, passed it and it became ORDINANCE #476.

**BILL #478 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for the first reading of Bill #478. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #478 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #478. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #478 was read for the second time. A roll call vote was taken for passage and approval of Bill #478, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #478 approved, passed it and it became ORDINANCE #477.

**BILL #484 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF CHESTERFIELD WITH THE STATE OF MISSOURI FOR CERTAIN IMPROVEMENTS TO BE MADE ALONG ROUTE HH (CLAYTON ROAD) FROM BAXTER TO HENRY ROAD AS LOCATED IN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for the first reading of Bill #484. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #484 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #484. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #484 was read for the second time. A roll call vote was taken for passage and approval of Bill #484, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #484 approved, passed it and it became ORDINANCE #478.

**BILL #485 PROHIBITS BILLBOARDS AND OTHER ADVERTISING SIGNS AND DEVICES AND PROHIBITS THE VENDING OR SALE OF MERCHANDISE ALONG STATE HIGHWAY HH AS IT IS LOCATED IN THE CITY OF CHESTERFIELD FROM THE INTERSECTION AT BAXTER ROAD TO THE INTERSECTION AT HENRY ROAD**

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for the first reading of Bill #485. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #485 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #485. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #485 was read for the second time. A roll call vote was taken for passage and approval of Bill #485, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #485 approved, passed it and it became ORDINANCE #479.

**BILL #486PROHIBITS PARKING UPON A PORTION OF THE HIGHWAY KNOWN AS STATE HIGHWAY HH LOCATED WITHIN THE CITY OF CHESTERFIELD AND KNOWN AS CLAYTON ROAD FROM THE INTERSECTION OF BAXTER ROAD TO HENRY ROAD**

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for the first reading of Bill #486. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #486 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #486. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #486 was read for the second time. A roll call vote was taken for passage and approval of Bill #486, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #486 approved, passed it and it became ORDINANCE #480.

**BILL #487APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for the first reading of Bill #487. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #487 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #487. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #487 was read for the second time. A roll call vote was taken for passage and approval of Bill #487, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #487 approved, passed it and it became ORDINANCE #481.

**LEGISLATION - PLANNING COMMISSION**

**BILL #479AMENDS ORDINANCE #444 OF THE CITY OF CHESTERFIELD AMENDING AN**

"LPA" IN A "NU" NON-URBAN DISTRICT ON THE NORTH SIDE OF OLIVE BOULEVARD AT WESTERN MILL DRIVE (P.C. 120-84, QUEATHAM HOUSE LTD.)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #479. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #479 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #479. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #479 was read for the second time. A roll call vote was taken for passage and approval of Bill #479, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #479 approved, passed it and it became ORDINANCE #482.

BILL #480 AMENDS CITY OF CHESTERFIELD ORDINANCE #465 BY AMENDING THE TERMS AND CONDITIONS OF THE "R-3" RESIDENTIAL DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT IN THE "R-3" RESIDENTIAL DISTRICT FOR A PARCEL OF LAND LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD 200 FT. EAST OF WILSON ROAD (P.Z. 7 & 8-90, WOODCLIFFE DEVELOPMENT COMPANY)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #480. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #480 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #480. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #480 was read for the second time. A roll call vote was taken for passage and approval of Bill #480, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #480 approved, passed it and it became ORDINANCE #483.

BILL #481 VACATES A ROADWAY AND PUBLIC UTILITY EASEMENT ON A FIFTEEN (15) FOOT STRIP OF LAND IN U.S. SURVEY 154, TOWNSHIP 45 NORTH, RANGE 4 EAST

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #481. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #481 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second

reading of Bill #481. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #481 was read for the second time. A roll call vote was taken for passage and approval of Bill #481, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #481 approved, passed it and it became ORDINANCE #484.

**BILL #482 AMENDS ORDINANCE #381 OF THE CITY OF CHESTERFIELD BY AMENDING THE CONDITIONS SET OUT THEREIN WITH REGARD TO THE WESTERLY PLACE SUBDIVISION WHICH IS AN ESTABLISHED "R-1A" DISTRICT WITHIN THE CITY OF CHESTERFIELD WITH A PEU LOCATED ON THE WEST SIDE OF SCHOETTLER ROAD SOUTH OF GEORGETOWN DRIVE (P.Z. 18-89, CHARLES LIEBERT)**

A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt, for the first reading of Bill #482. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #482 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt, for a second reading of Bill #482. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #482 was read for the second time. A roll call vote was taken for passage and approval of Bill #482, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #482 approved, passed it and it became ORDINANCE #485.

**BILL #483 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR WILDHORSE SUBDIVISION (LOTS 25 & 26), A PLANNED ENVIRONMENT UNIT IN THE "R-1" ONE (1) ACRE AND "FPR-1" FLOOD PLAIN ONE (1) ACRE**

A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt, for the first reading of Bill #483. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #483 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt, for a second reading of Bill #483. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #483 was read for the second time. A roll call vote was taken for passage and approval of Bill #483, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #483 approved, passed it and it became ORDINANCE #486.

#### ADJOURNMENT

A motion was made by Councilmember Greenwood, 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 8:10 P.M.

Mayor Jack Leonard

ATTEST:

Martha L. DeMay, City Clerk