

**RECORD OF PROCEEDING**

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, OCTOBER 21, 1991

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Jack Leonard	Councilmember Betty Hathaway
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Jade Gardner Bute	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Girl Scout Troop #2466 from Incarnate Word School: Jenny Knoll, Erin Sauer, Emily Roth, Mary Neff, Mary Beth Grelle, Maureen Sloan and Carrie Long. Also in attendance was Troop Leader Grace Long.

Mayor Jack Leonard led the City Council in prayer.

The minutes of the October 7, 1991, meeting were submitted for approval. A motion was made by Councilmember Greenwood, seconded by Councilmember Bute, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard announced that the final public informational meeting with regard to annexation has been scheduled for October 23, 1991, at 7:00 P.M. at Parkway Central High School.

Mayor Leonard next reminded those in attendance that November 5, 1991, is Election Day and the proposed annexation would appear on the ballot. It will take separate majority votes from the

residents of Chesterfield and the residents in the proposed area to be annexed for the issue to pass.

Councilmember Clarke introduced and welcomed her daughter, Kelly, and her mother, Elizabeth Kilcourse, who is visiting from Florida.

Councilmember Jade Gardner Bute introduced her granddaughter, Colleen Megan Bute, who is visiting from Colorado. Councilmember Bute, on behalf of her granddaughter, thanked those who supported the military personnel serving in the Persian Gulf. Ms. Bute's father had served in this conflict.

## COUNCIL COMMITTEE REPORTS

### Planning/Economic Development

Councilmember Jade Gardner Bute, on behalf of Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, stated that Bill #'s 636 and 637 will be considered for adoption under the Legislation portion of the agenda. Councilmember Bute announced that the next meeting of this Committee has been scheduled for October 23, 1991, at 5:30 P.M.

### Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, reported that the Committee had voted to recommend approval of the proposal for the Wilson Road Engineering Study and to fund this project with the interest, in the amount of \$12,178.34, from the Wilson Road Trust Fund. The remainder of the funds would come from Contingency, in the amount of \$10,521.66. The goal is to develop recommendations to make the road safer and easier to maintain. A motion was made by Councilmember Bute, seconded by Councilmember Tilley, to approve the Wilson Road Engineering Study and to transfer \$12,178.34 in interest from the Wilson Road Trust Fund and \$10,521.66 from Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that the Committee had directed Mr. Herring to submit the finalized negotiated agreement with Thalden Corporation, who will be doing the Parks & Recreation Study, directly to City Council for approval. This matter will be voted upon under the Report of the City Administrator.

Councilmember Bute next reported that the Committee approved unanimously the establishment of the Highway Beautification Committee and the list of proposed members. Mr. Bill Kolath has

agreed to be the Chairperson of this Committee. There is also an individual from the Missouri State Highway Department who is willing to work with this Committee to help design a program.

Councilmember Bute next reported that Bill #'s 634, 635 and 617 will be considered for adoption under the Legislation portion of the agenda. A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to remove Bill #617 from the agenda. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for October 24, 1991, at 5:30 P.M.

### Public Health and Safety

Councilmember Alan Politte, Chairperson of the Public Health and Safety Committee, reported that at the last meeting of this Committee the Police Department Budget was reviewed and approved and forwarded to the Finance and Administration Committee.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for November 12, 1991, at 7:30 A.M.

### Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that the Chesterfield Citizen newsletter is scheduled to be distributed around mid-December. Articles for this issue are due by November 4, 1991.

Councilmember Tilley next reported that the Committee voted unanimously to recommend submission of the proposed budget for the Community Development Block Grant for 1992/93 to City Council for approval. The amount budgeted is \$74,700.00. This is the same amount received for the past three (3) years. Allocations are as follows: \$42,000 for the Home Improvement Program; \$31,800 for the removal of architectural barriers; and, \$900 for a wall-water fountain to be installed in the Police Department lobby for use by the disabled. A motion was made by Councilmember Tilley, seconded by Councilmember Bute, to accept the CDBG Budget. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Bute suggested that periodically information on the CDBG Program be included in the Chesterfield Citizen newsletter.

Councilmember Tilley announced that the next meetings of this Committee have been scheduled for November 13, 1991, at 5:30 P.M. and December 10, 1991, at 7:30 A.M. A budget review meeting

has been scheduled for November 4, 1991, after the City Council meeting. This will be a meeting of the entire City Council.

### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the Parks, Recreation and Arts Citizens Advisory Committee and the Public Works/Parks Committee have reviewed and endorsed the Parks Study - Phase I Feasibility proposal submitted by Thalden Corporation for a price not to exceed \$23,000.00.

A motion was made by Councilmember Politte, seconded by Councilmember Bute, to authorize Mr. Herring to enter into a contract, as revised by Council in the Work Session, with Thalden Corporation for a price not to exceed \$23,000.00 and to transfer the amount from Fund Reserves to the current budget. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Mike Herring reported that bids have recently been sought for the sale of two (2) dump trucks. These dump trucks are old, in need of extensive repairs and, in one case, inoperable at the present time. The highest bids submitted for each vehicle were submitted by City employees. The Purchasing Manual states that the sale of surplus equipment to City employees is prohibited, unless such action "would be in the best interest of the City." Under the circumstances, Mr. Herring joined with Finance Director Jan Hawn in recommending that Council approve the bid submitted by Mr. Terry Wilbanks for the purchase of a 1976 F-600 Ford dump truck for a price of \$1,000.00 and the bid submitted by Mr. Bill Sullivan for the purchase of a 1978 #1600 International dump truck for a total price of \$600.00. A motion was made by Councilmember Tilley, seconded by Councilmember Hurt, to accept the two (2) low bids submitted for these trucks. City Attorney Beach explained the City's policy with regard to employees' purchasing City property. However, due to the fact that these bids were submitted on a sealed bid basis and notices were published in the newspapers, as well as request for proposals being sent to fifteen (15) truck businesses, he expressed his opinion that it appeared to be in the best interest of the City to accept the bids submitted by the employees. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that additional information has been secured with regard to the request for a liquor license submitted by Marriott Management Services Corporation. He explained that Marriott Management Services Corporation was a catering company, located at 18444 Edison Avenue, and has requested a full liquor license, not to sell liquor by the drink, but to dispense it. City Attorney Beach further explained the State statute in issuing liquor licenses to catering companies and the way the City's ordinance was written. This would be the appropriate license to issue to Marriott. As a result, Mr. Herring joined with City Attorney Beach in recommending approval of this liquor license request. A motion was made by Councilmember Politte, seconded by Councilmember Greenwood, to approve the liquor license request submitted by Marriott Management Services Corporation. A voice vote was taken with an affirmative result

(Councilmember Hrabko abstained) and the motion was declared passed. Councilmember Greenwood confirmed that City Attorney Beach will revise the liquor license ordinance to address the issuance of licenses to catering companies.

Mr. Herring next stated that City Council had approved awarding the contract to Sverdrup Corporation for the Phase I - Feasibility/Conceptual Design of the Government Center Study as the last meeting for a total cost of \$42,600.00. It is now necessary to transfer funds from the Fund Reserves, totaling \$42,600, to cover the cost of this study. This study was to be funded with previous year's business license receipts, which, when unspent, were added to the Fund Reserves. A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to transfer the funds in the amount of \$42,600.00 to cover the cost of this study. A voice vote was taken with an affirmative result (Councilmember Clarke voted no) and the motion was declared passed.

## LEGISLATION

### **BILL #634 PERTAINS TO THE ACCEPTANCE OF BAXTER CROSSING LANE AS A PUBLIC STREET WITHIN THE CITY LIMITS OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #634. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #634 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #634. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #634 was read for the second time. A roll call vote was taken for passage and approval of Bill #634, with the following results: Ayes - Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #634 approved, passed it and it became ORDINANCE #626.

### **BILL #635 APPROVES THE INSTALLATION OF A FIRE HYDRANT WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #635. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #635 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second reading of Bill #635. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #635 was read for the second time. A roll call vote was taken for passage

and approval of Bill #635, with the following results: Ayes - Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #635 approved, passed it and it became ORDINANCE #627.

LEGISLATION - PLANNING COMMISSION

**BILL #636 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.164 SIGN REGULATIONS AND SECTION 1003.020 DEFINITIONS RELATIVE TO WALL SIGNS**

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for the first reading of Bill #636. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #636 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for a second reading of Bill #636. Councilmember Clarke moved to amend Bill #636 Attachment A and delete Section G in its entirety. The motion was seconded by Councilmember Hrabko. Councilmember Clarke further stated that she considers the 2% of the wall area to be too restrictive and the 5% of the wall area, as it now stands, is less restrictive. After much discussion, a voice vote was taken on the amendment with a negative result (Councilmembers Clarke and Hrabko voting yes) and the motion was declared defeated. Bill #636 was read for the second time. A roll call vote was taken for passage and approval of Bill #636, with the following results: Ayes - Greenwood, Bute, Hurt, Politte, and Tilley. Nays - Clarke and Hrabko. Whereupon Mayor Leonard declared Bill #636 approved, passed it and it became ORDINANCE #628.

**BILL #637 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR SYCAMORE PLACE SUBDIVISION LOTS 30 AND 31, PLAT II; AMBER MEADOWS COURT**

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for the first reading of Bill #637. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #637 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #637. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #637 was read for the second time. A roll call vote was taken for passage and approval of Bill #637, with the following results: Ayes - Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #637 approved, passed it and it became ORDINANCE #629.

City Attorney Beach called attention to the fact that the City Clerk had read a previous title for Bill #636 and requested that the record reflect that the vote was on the new Bill #636 - AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 103.164 SIGN REGULATIONS RELATIVE TO WALL SIGNS AND ROOFTOP SIGNS. Bill #636 was read with the correct title. A roll call vote was taken with the following results: Ayes: Greenwood, Bute, Hurt, Politte, and Tilley. Nays - Clarke and Hrabko. Whereupon Mayor Leonard declared Bill #636 approved, passed it and it became ORDINANCE #628.

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 7:37 P.M.

Mayor Jack Leonard \_\_\_\_\_

ATTEST:

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Martha L. DeMay, City Clerk