

MEMORANDUM

DATE: February 28, 2017

TO: Mike Geisel, City Administrator

FROM: Chief Ray Johnson

SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE MEETING OF THE
WHOLE

The Public Health and Safety (PH&S) Committee met on Monday, February 27, 2017. Those in attendance included Chairperson Bridget Nations Councilmember - Ward II, Councilmember Barry Flachsbart, Ward I, Councilmember Randy Logan, Ward III, Councilmember Tom DeCampi, Ward IV, Mayor Bob Nation, Councilmember Barb McGuinness – Ward I, Councilmember Guy Tillman, Ward II, Councilmember Nathan Roach, Ward IV, Chief Ray Johnson and City Administrator Mike Geisel. Those also in attendance included City Attorney Chris Graville, Captain Ed Nestor and Captain Steve Lewis. Councilmember Hurt – Ward III was not in attendance. Several citizens were also in attendance

The meeting was called to order at 5:30 PM, by Chairperson Bridget Nations.

I. Approval of Minutes – December 12, 2016

Councilmember DeCampi motioned and Councilmember Flachsbart seconded to approve the minutes of the December 12, 2016 Public Health & Safety Committee meeting. The motion carried 4-0.

II. VRBO (Vacation Rental by Owner)

The Committee discussed the rental of city residential property by owners who possibly utilize internet sites such as Air BNB and VRBO (Vacation Rental by Owner). Air BNB advertises single rooms available by single night(s) whereas VRBO advertises entire homes available for longer periods. City Attorney Graville noted that renting rooms is restricted in the City's current ordinance dealing with "boarders" in residences.

A copy of the Maplewood municipal ordinance was reviewed. City Administrator Geisel reported the development history of the Maplewood ordinance where it had started out as more restrictive than the final land use ordinance that has been passed by their City Council. Although the City of Chesterfield "boarder" ordinance may be utilized to stop renting

rooms, the enforcement of the ordinance is a lengthy process with only one Code Enforcement Officer employed by the City of Chesterfield.

It was noted that the municipalities of Jennings and Ferguson also have ordinances regarding the renting of residential properties and/or rooms for short periods.

Chief Johnson noted the problem of enforcing the Chesterfield current ordinance when the owner of the property is not currently living in the residence.

Chief Johnson provided copies of proposed State House and Senate bills that are ready for discussion in the Missouri legislature. These Bills would prohibit municipalities from passing ordinances to prohibit the vacation rental of rooms and/or residences. Therefore, it will be essential to get an ordinance in place in the City of Chesterfield before the enactment of State regulations.

City Attorney Graville general requested direction to draft an ordinance for City Council review.

Councilmember Flachsbart motioned and Councilmember Logan seconded to direct City Attorney Graville to prepare an ordinance to prevent vacation rentals of thirty (30) days or less and to also tighten current ordinances to prohibit the rental of rooms in residential properties. This proposed ordinance would then be presented to the City Council. The motion carried 7-0.

III. Managed Deer Hunts

As requested at the previous Public Health & Safety Committee Meeting, Chief Johnson provided information regarding possible managed deer hunts in Chesterfield.

A deer count would need to be completed before any company would proceed with a managed deer hunt. The total cost for a managed hunt would be approximately \$200,000.00. According to the companies who perform managed hunts, the hunts would need to be repeated every couple of years because the deer populations would re-populate.

The Police Department staff did investigate hunting in the City Parks. The ordinances dealing with the parks in Chesterfield would need to be revised to allow hunting.

Chief Johnson noted that he has spoken with the Missouri Department of Conservation expert who stated the best hunting program for

residential areas is the current one in place for bow hunting in Chesterfield. However, our ordinance could be modified to lessen the amount of liability insurance required and also allow hunting on parcels less than one acre.

Wendy Geckeler informed those present that she had spoken with Erin Shank of the Missouri Department of Conservation and also a hunter who participates in the current bow hunting in Chesterfield. She noted that baited hunting outside of the Missouri State bow hunting season is sometimes allowed in “nuisance” situations. This is an option that she encouraged the City of Chesterfield to pursue.

Mr. Geisel reiterated that half the citizens in Chesterfield are pro-hunting and half are against hunting in residential areas. Although the program is in place, there are not enough participants in the program. It is difficult to address the deer management issue when residents have chosen not to allow deer hunting within their common grounds or on large lots. Any deer reduction activities will ultimately require property owner consent.

Chief Johnson informed those present that there will be a meeting hosted by the Missouri Department of Conservation regarding deer management on April 13, 2017 from 9:00 AM until 12:00 Noon at the Powder Valley Nature Center. Anyone interested is invited to attend.

Noting the re-occurring costs of managed hunts, Councilmember Flachsbart motioned and Councilmember DeCampi seconded to revise the current ordinance to allow hunting on one half acre and reduce in half the amount of liability insurance required. He noted this may increase the number of citizens participating in the program. This motion carried 7-0.

Councilmember Flachsbart then motioned to direct police staff to prepare a proposed sharpshooter hunting program. This motion was seconded by Councilmember McGuinness. Councilmember Flachsbart then amended his motion to first obtain a deer count. The amendment was seconded by Councilmember McGuinness. Councilmember Logan then offered an amendment to also include the number of deer appropriate and acceptable in the Chesterfield area and to contract with White Buffalo to do the proposed work at a cost not to exceed \$6,000.00 to be paid from the City’s General Fund – Fund Reserve. When completed this information shall be submitted to City Council. The second amended motion was approved 7-0; the third amended motion was approved 7-0. The initial motion incorporating both amendments was approved 7-0. This item will be moved to City Council for approval.

IV. Clarkson Valley – RFP provision of Police Services

Chief Johnson informed the Committee that the City has received a request for a proposal to provide police services to Clarkson Valley. Chief Johnson would like to respond to the proposal with the caveat that there would be no additional cost to the City of Chesterfield to provide these services. He noted that this would provide a larger presence of Chesterfield in the area emphasizing the lengthy border between Chesterfield and Clarkson Valley and the two schools located in Clarkson Valley that are attended by students that are residents of Chesterfield.

Chief Johnson stated that the proposal would probably require five additional officers and two SRO (School Resource Officers) that would have the same contractual arrangements with the schools as the current SRO officers currently working in schools located in Chesterfield: 75% of salary provided by the schools and 25% by the City of Clarkson Valley.

Councilmember Logan motioned and Councilmember Flachsbart seconded to approve the submission to the Request for a Proposal for the provision of Police Services to the City of Clarkson Valley. The motion carried 7-0.

V. Drone Ordinance

Chief Johnson reported that the Public Health & Safety Committee had previously discussed possible regulations of drones within the City of Chesterfield and agreed to await possible FAA regulations before any other guidelines be considered. At this time, FAA regulations are complete. Since the time that drones were initially discussed, many additional commercial uses have been developed such as those planned by Amazon and those currently in use such as real estate firms for surveying property from the air. Chief Johnson provided a sample of the current Wildwood ordinance. The Committee discussed privacy issues and liability regarding possible property damage from drones. The Committee members also stated that it would be advantageous to have an ordinance in place before the State puts regulations in place.

Councilmember Flachsbart motioned and Councilmember Tillman seconded to direct Chief Johnson, City Administrator Geisel, and City Attorney to draft a proposed ordinance for the regulation of drones. The motion carried 7-0.

Having no other business, the meeting adjourned at 6:40 PM.