



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 16052 SWINGLEY RIDGE ROAD

JANUARY 3, 2000

The meeting was called to order at 7 p.m.

A roll call was taken with the following results:

PRESENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley

ABSENT

Councilmember Mary Brown

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: John Horton, Matt Bauer, Matt McGraw, Brett Huetteman. Also in attendance was Troop Leader Tom Nied.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the December 6, 1999, City Council meeting and the December 6, 1999, Public Hearing, were submitted for approval. Councilmember Tilley made a motion to approve both sets of minutes. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Greenwood thanked the Home Rule Charter Study Committee for the time and effort they put forth in researching and compiling their report. The final vote of the Committee was 8 – 8, with one person absent.

Mayor Greenwood next congratulated and presented Employee Recognition Awards to those employees who have served the City for ten years.

Mayor Greenwood next recognized members of the Chesterfield Fire Protection District and their Board of Directors and expressed appreciation for their attendance at the Council meeting. Councilmember Barry Flachsbart apologized for comments he had made at the previous Council meeting regarding decisions made by the previous Board of Directors. In addition, Councilmember Flachsbart inquired of Fire Marshal Dave Nichols as to whether he had checked with other municipalities regarding a traffic-calming program. Mr. Nichols responded that he has not as yet received information he requested from the other cities.

Mayor Greenwood wished everyone in attendance a Happy New Year on behalf of the City!

The Mayor and Councilmember Streeter both noted that Councilmember Brown was not in attendance due to the recent death of her husband in late December.

COMMUNICATIONS AND PETITIONS

Dr. Barbara Whitman, who resides at 1942 Ridge Lake Drive, questioned City Attorney Doug Beach's interpretation of the law regarding the timeframe and number of signatures required to become a candidate for the Home Rule Charter Commission. City Attorney Beach responded and reaffirmed his interpretation of the law.

Claudia Fallert, who resides at 14918 Country Ridge, opposed the speeding that continues on Country Ridge Drive and Schoettler Valley Drive and submitted pictures of a recent accident in front of her house. Councilmember Flachsbart suggested the City work through its legislators to change the State law to enable arrests to be made through the use of surveillance cameras. This will be added to the next Public Health and Safety Committee agenda. Councilmember Hurt suggested the City continue to explore other alternatives to cut down on the speeding traffic in that neighborhood. The Mayor, once again, supported the importance of preserving the integrity of neighborhoods.

Victoria Sherman, who resides at 1895 Schoettler Valley Drive, supported the Traffic Calming Project and urged the Chesterfield Fire Protection District to continue to work with the City to resolve some of the problems that cause them concern with the project. Fire Marshall Dave Nichols responded by confirming that the CFPD was involved in the planning process with the City initially. Several other members of the CFPD spoke and supported Mr. Nichols' remarks that the speed humps slowed down the emergency equipment. Discussion

ensued. The Mayor thanked members of the CFPD for attending the Council meeting.

Allan Sheppard, who resides at 826 Judson Manor Drive, supported Bill No. 1758 regarding the call for an election on the April 4, 2000 ballot for the purpose of establishing a Charter Commission.

Alan Politte, who resides at 14972 Manor Ridge, Chairperson of the Home Rule Charter Committee, opposed forming a Charter form of government and stated that the vote of the Committee was 8 – 8, with one person absent.

Ted Allison, who resides at 2126 Chesterfield Place, supported forming a Charter form of government, but opposed the City Attorney's interpretation regarding signature requirements for petitions and the qualifying period during which petitions may be submitted. Much discussion ensued between Mr. Beach, City Council and Mr. Allison. The Mayor stated her support for Mr. Beach's interpretation of the law.

Laura Lueking, who resides at 15021 Conway Road, requested that her prepared speech be copied for the Mayor and members of City Council.

John Nations, who resides at 8 Baxter Lane, supported his interpretation of the law requiring Charter Commission candidates to obtain only 100 signatures, or 2% of the November 1999 election, as opposed to Mr. Beach's interpretation of 288 signatures, or 2% of the April 1999 election.

A motion was made by Councilmember Hurt, seconded by Councilmember Casey, to suspend the rules and move to Council Committee Reports and the Finance and Administration Committee portion of the agenda. A voice vote was taken with an affirmative result (Councilmember Flachsbart left the room temporarily) and the motion was declared passed.

COUNCIL COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Resolution No. 258 officially acknowledges receipt of certified petitions calling for an election on the issue of Home Rule Charter. Councilmember Streeter made a motion to adopt Resolution No. 258. Councilmember Tilley seconded the motion. A roll call vote was taken with the following results: Ayes – Hurt, Flachsbart, Tilley, Durrell, Casey and Streeter. Nays – None. The motion was declared passed.

Councilmember Streeter next introduced Bill No. 1758 which calls for an election in April 4, 2000, for voters to consider a commission to frame a charter and to further cast votes for qualified candidates to serve on a commission to frame the charter.

BILL NO. 1758 CALLS FOR AN ELECTION TO BE CONDUCTED IN THE CITY OF CHESTERFIELD ON APRIL 4, 2000, TO SUBMIT TO THE VOTERS THE QUESTION "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND TO SUBMIT TO THE VOTERS QUALIFIED CANDIDATES FOR SUCH COMMISSION, AND PROVIDING THAT 13 OF SUCH CANDIDATES RECEIVING THE MOST VOTES SHALL BE DESIGNATED THE CHARTER COMMISSION FOR THE CITY OF CHESTERFIELD PROVIDED THAT THE MAJORITY OF THE VOTES CAST ON THE CHARTER QUESTION SHALL BE IN FAVOR OF THE FORMING OF A COMMISSION TO FRAME A CHARTER (**FIRST AND SECOND READINGS – FINANCE AND ADMINISTRATION COMMITTEE**)

Councilmember Streeter made a motion, seconded by Councilmember Casey, for the first reading of Bill No.1758. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1758 was read for the first time.

Councilmember Tilley made a motion, seconded by Councilmember Flachsbart, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Streeter made a motion, seconded by Councilmember Casey, for a second reading of Bill No. 1758. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1758 was read for the second time. Councilmember Streeter made a motion to amend Section 4 of Bill No. 1758 by changing the dates of the filing period to reflect beginning at 8 a.m. on January 6 and ending at 5 p.m. on January 24. Councilmember Flachsbart seconded the motion. 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 No.1758, as amended, with the following results: Ayes – Streeter, Durrell, Casey, Flachsbart, Tilley, and Hurt. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1758 approved, passed it and it became **ORDINANCE NO. 1585.**

Councilmember Flachsbart made a motion to establish the following administrative procedures to be used in conjunction with Ordinance No. 1585: 1) to accept petitions which contain signatures from at least 2% of the votes cast in the November 1999 City election; 2) to accept petitions through January 24, 2000 for processing by the Board of Election and after that time, the City will attempt to seek a court order to have petitions turned in prior to March 3, 2000, placed on the April ballot; 3) to notify candidates that Board of Election procedures may preclude them being added to the ballot after the certification deadline and that they may need more than 100 signatures. The motion was seconded by Councilmember Hurt. Councilmember Durrell asked if those in the audience, who have already secured their

288 signatures, how they felt about this administrative procedure. Some individuals said it made no difference to them if fewer signatures were required and some felt by changing the rules at this point in time was not fair and could create other issues. There being no further discussion, a voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mayor Greenwood recessed the meeting at 9:55 p.m.

Mayor Greenwood reconvened the meeting at 10:05 p.m.

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that Bill No. 1768, regarding sewer lateral repair ballot issue, will be read for the first time under the Legislation portion of the agenda.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1753 (license for those selling tobacco products), Bill No. 1754 (places tobacco permit fee on the April 2000 ballot), Bill No. 1755 (makes aggressive and reckless driving an offense), Bill No. 1756 (amends list of through streets) and Bill No. 1757 (amends list of electric traffic control signals) will be considered for adoption under the Legislation portion of the agenda. Bill No. 1767 (establishes three-way stop at intersection of Terrimill Terrace and Englewood Terrace) will be read for the first time under the Legislation portion of the agenda.

Planning and Zoning Committee

On behalf of Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, Councilmember Casey, Vice Chairperson of the Committee, reported that due to changes that have been made by the petitioner, reconsideration of Bill No. 1761, P.Z. 27-99, Ambassador Development has been placed on the agenda. Councilmember Casey made a motion for reconsideration of Bill No. 1761, P.Z. 27-99, Ambassador Development, at the next City Council meeting. Councilmember Flachsbart seconded the motion. Discussion ensued. A roll call vote was taken to reconsider Bill No. 1761 at the next meeting of City Council with the following results – Ayes – Durrell, Flachsbart, Tilley, Casey and Hurt. Nays – Streeter. Bill No. 1761 will be placed on the agenda for the January 19 meeting of City Council.

Councilmember Casey announced that the next meeting of the Committee has been scheduled for January 6 at 5:30 p.m. (Note: Subsequently, this meeting was moved to Wednesday, January 12 at 5:30 p.m.)

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that at the last Council meeting he had requested that Council hold any action regarding dental insurance, until this meeting. Director of Finance and Administration Jan Hawn mentioned to him, at the time, that, following her initial recommendation, she had learned of problems, which would result from switching from the current provider to a new dental insurance carrier. Mr. Herring authorized her to establish an employee committee to review the recommendation to change carriers. As a result of further discussion/review and based upon input from this employee committee, Ms. Hawn now recommends that the City renew with its current carrier, rather than switching to a new dental insurance carrier. While the cost would be cheaper to the City, if a switch were made, Ms. Hawn points out that such a switch would actually cost the employees much more than they would save in lower premiums. For these reasons, Mr. Herring joins with Ms. Hawn and the other Department Heads, who are also in support, in recommending that the City renew with its current carrier, Prudential. After much discussion ensued, Councilmember Tilley made a motion to table this issue. Councilmember Flachsbart seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the reconstruction of nine (9) stormwater grated troughs, located on City streets in various parts of Chesterfield. Having reviewed the information provided by Director of Public Works/City Engineer Mike Geisel, he joined with him in recommending approval of a contract with Kelpo Contracting, Inc., in an amount not to exceed \$142,700. This work will be funded entirely by funds generated as a result of the passage of Propositions R & S. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to award the contract to Kelpo Contracting, Inc., in an amount not to exceed \$142,700, for the reconstruction of nine stormwater grated troughs. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring announced that the next issue of the Chesterfield Citizen newsletter would be distributed the first week of February.

Mr. Herring commended the data processing Staff on the excellent job they did to bring the City into compliance with Y2K requirements prior to the first of the year and that all systems passed the test.

NEW BUSINESS

Mr. Herring next reported that Resolution No. 260, which was brought to City Council by Mayor Greenwood and himself, on behalf of the Lafayette Area Mayor's Association, was re-written by Councilmember Barry Flachsbart. That re-written version was forwarded to all member cities of this organization and each has now decided to adopt that version and forward same to the appropriate regional officials. Mr. Herring requested that City Council also adopt Resolution No. 260, which pertains to the Metrolink expansion. Councilmember

Flachsbart made a motion to adopt Resolution No. 260. Councilmember Tilley seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley inquired as to the status of the proposed Pay Plan. Much discussion ensued involving Councilmembers Flachsbart and Tilley. Mr. Herring stated that he is working with the Department Heads to finalize recommendations to the Pay Plan and that it should be completed by the end of January.

LEGISLATION

BILL NO. 1753 REQUIRES EVERY PERSON ENGAGED IN THE BUSINESS OF SELLING, OFFERING, DELIVERING OR DISPLAYING CIGARETTES FOR SALE TO OBTAIN A “TOBACCO PRODUCT PERMIT” AND PAY A LICENSE FEE (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1753. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1753 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1753, with the following results: Ayes – Flachsbart, Hurt, Durrell, Tilley, Streeter and Casey. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1753 approved, passed it and it became **ORDINANCE NO. 1586.**

BILL NO. 1754 AUTHORIZES THE CITY CLERK TO PLACE ON A BALLOT OF APRIL 4, 2000, THE QUESTION OF COLLECTING A FEE FOR THE SALE OF TOBACCO PRODUCTS (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1754. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Tilley, to insert the word “license” before the word “fee” in the title of the bill for clarification. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1754 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1754, with the following results: Ayes – Casey, Durrell, Hurt, Tilley, Streeter and Flachsbart. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1754 approved, passed it and it became **ORDINANCE NO.1587.**

BILL NO. 1755 ESTABLISHES AGGRESSIVE AND RECKLESS DRIVING AS AN OFFENSE IN THE CITY OF CHESTERFIELD (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1755. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1755 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1755, with the following results: Ayes – Casey, Streeter, Flachsbart, Durrell, Hurt and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No.1755 approved, passed it and it became **ORDINANCE NO. 1588.**

BILL NO. 1756 AMENDS ORDINANCE NO. 35, SCHEDULE V OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY REPLACING SAID SCHEDULE V, REGARDING THROUGH HIGHWAYS, ROADS OR STREETS (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1756. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1756 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1756, with the following results: Ayes – Hurt, Casey, Flachsbart, Streeter, Tilley and Durrell. Nays - None. Whereupon Mayor Greenwood declared Bill No.1756 approved, passed it and it became **ORDINANCE NO. 1589.**

BILL NO. 1757 AMENDS ORDINANCE NO. 35, SCHEDULE I OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY DELETING AND ADDING PROVISIONS THERETO REGARDING ELECTRIC TRAFFIC CONTROL SIGNALS (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for a second reading of Bill No. 1757. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1757 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1757, with the following results: Ayes – Streeter, Durrell, Hurt, Flachsbart, Casey and Tilley. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1757 approved, passed it and it became **ORDINANCE NO. 1590.**

BILL NO. 1767 AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION FOR A THREE-WAY STOP SIGN AT THE INTERSECTION OF TERRIMILL TERRACE AND ENGLEWOOD TERRACE IN THE SYCAMORE RIDGE SUBDIVISION THERETO. **(FIRST READING – PUBLIC HEALTH AND SAFETY COMMITTEE)**

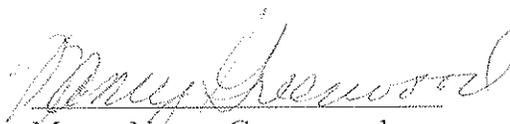
Councilmember Casey made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1767. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1767 was read for the first time.

BILL NO. 1768 AN ORDINANCE IMPOSING A MAXIMUM QUARTERLY FEE OF SEVEN DOLLARS (\$7.00) TO PAY THE COST OF CERTAIN REPAIRS OF DEFECTIVE LATERAL SEWER SERVICE LINES AND CALLING AN ELECTION TO APPROVE SUCH FEE TO BE HELD ON APRIL 4, 2000 **(FIRST READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)**

Councilmember Flachsbart made a motion, seconded by Councilmember Casey, for the first reading of Bill No. 1768. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1768 was read for the first time.

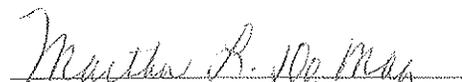
ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Tilley made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 10:25 p.m.



Mayor Nancy Greenwood

ATTEST:



Martha L. DeMay, City Clerk