



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, FEBRUARY 7, 1994

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

A roll call was taken with the following results:

PRESENTABSENT

Mayor Jack Leonard	None
Councilmember Colleen Hilbert	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Cub Pack #848 (Webelos Den I-3) from Highcroft Ridge School: Adam Witt, Evan Coblitz, Brian Prater, Matt Spurgeon, Ryan Zieg, Brian Weber and Dan Taylor. Also in attendance were Troop Leaders Bill Prater, Dave Coblitz and Bob Taylor.

Reverend Dennis Lindberg from Ivy Chapel United Church of Christ led the City Council in prayer.

The minutes of the January 18, 1994, meeting was submitted for approval. A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

## COMMUNICATIONS AND PETITIONS

Mr. Steve Fischer, who resides at 1229 Cedar Creek Road, expressed his concern that the proposed sign ordinance is too restrictive, especially for giant balloon advertising.

Mr. Tim Douglas, who is employed by Lou Fusz Ford, #2 Caprice Drive, expressed his concern that the proposed sign ordinance is too restrictive and needs to be more flexible to meet the needs of the businesses.

Mr. John Eilermann, who is employed by McBride & Son, Corporate Center Drive, represented the Home Builders Association and on their behalf expressed concern that the proposed sign ordinance is too restrictive and will hurt the business community. He suggested that a consultant be hired to review the document, and contact diverse members of the business community for their input. He further suggested that this Committee could include members from HBA, Realtors, Chesterfield Civic Progress, Chesterfield Valley 2000 Coalition and other interested parties. Staff and Council representatives should also be included. In addition, he requested that a public hearing be held prior to adopting the sign ordinance.

Mr. David Wilde, who resides at 15714 Country Ridge Drive, represented Chesterfield Civic Progress and suggested no action take place with regard to the proposed sign ordinance until a consultant is hired to review the document. He further suggested that a public hearing be held to get input from the business community and the residents.

Mr. Dan Capps, who resides at 15620 Quail Meadows, represented the Missouri Growth Association and Capitol Land Company and requested that a public hearing be held prior to adoption of the proposed sign ordinance.

Mr. Richard Bly, who resides at 1802 York Ridge, operates a business in the community and concurs with the previous speakers with regard to the sign ordinance.

Ms. Lynn O'Connor represented the Shenandoah Residents Association and distributed information which reflected input concerning the change in the speed limit on Appalachian Trail. Basically, 104 residents favored the 30 MPH speed limit and 18 residents desired the speed limit to be lowered to 25 MPH. Ms. O'Connor thanked Councilmember Susan Clarke and the Police Department for their assistance.

Ms. Ann Englert, who resides at 2015 Lynn Bay, expressed her concern that the Council Conference Room was too crowded to handle the number of individuals who attended the Work Session and requested that in the future the meeting be moved to the Council Chambers when large numbers of individuals attend this meeting. She thanked Councilmember Politte for holding the public hearings with regard to the Parks Master Plan and expressed her opinion that it would be a good use of flood plain area to designate it as parkland.

Royce Engel, who resides at 135 Ridgecrest Drive, spoke on behalf of Citizens for Open Government and expressed opposition to the proposed annexation area to be placed on the April 5

ballot. He further questioned as to which Councilmembers voted for/against the purchase of the Kangaroos Building to be used as a Government Center. City Attorney Beach explained that according to the Sunshine Law certain information can be retained until the end of the negotiating process or City Council could vote to make the vote public on this issue. Councilmember Levinson stated for the record that he voted to submit a contract on the Kangaroos Building, he voted against the site in the Chesterfield Valley as a consideration for the Government Center and he voted to pursue the site on the Chesterfield Parkway for the Government Center.

### INTRODUCTORY REMARKS

Mayor Jack Leonard nominated Ashok Agrawal to fill the vacancy on the T.I.F. Commission, due to the resignation of Mr. Mark Mersemann. Mr. Agrawal was recommended by John Langa, Administrator for the Chesterfield Community Development Corporation. A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to approve the nomination of Ashok Agrawal to the T.I.F. Commission. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

Mayor Leonard next placed the name of Michelle Ann Sleet in nomination to serve as a representative to the University of Missouri Extension Council of St. Louis County. The appointment is for a two-year term and the appointee is eligible to serve a second two-year term, if so desired. A motion was made by Councilmember Hilbert, seconded by Councilmember Greenwood, to approve Ms. Sleet's appointment. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

Mayor Leonard next presented a Proclamation to Dr. Barbara Fulton, former Chairperson to the Drug/Alcohol Abuse Task Force in recognition for her time and effort in serving on this Committee.

### COUNCIL COMMITTEE REPORTS

#### Finance and Administration

Councilmember Nancy Greenwood, Chairperson of the Finance and Administration Committee, reported that Bill #892 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Greenwood announced that the next meeting of this Committee has been scheduled for February 14, 1994, at 5:30 P.M.

#### Planning and Zoning

Councilmember Susan Clarke, Chairperson of the Planning and Zoning Committee, reported that the Committee recommends P.Z. 28-93, Caplaco Seven Inc. be received and filed. A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, to receive and file this petition. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

Councilmember Clarke next reported that the Selection Committee interviewed four (4) consultants who are interested revising the sign ordinance. The results of the interviews will be discussed at the next Planning and Zoning Committee meeting.

Councilmember Clarke next reported that Bill #891, 867, 893, 894, 896 and 897 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke announced that the next meeting of this Committee has been scheduled for February 9, 1994, at 5:45 P.M.

### Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that the T.I.F. Commission has requested that the scope of work for the Chesterfield Valley Master Plan being prepared by Development Strategies be amended to include obtaining tax base information for the Chesterfield Mall area. This information would be used to determine whether or not the mall area should be included in the Tax Increment Finance District for the Chesterfield Valley. The cost of this amended scope of work would not exceed \$2,000. It was noted that this revision to the scope of work had been reviewed and endorsed by the Valley Master Development Study Committee. Councilmember Politte stated that this issue was tabled in the Work Session.

Councilmember Politte next recognized Councilmember Hrabko who reported on the detention facilities in Country Place Subdivision. Councilmember Hrabko reported that the residents of Country Place Subdivision were requesting that the City reimburse their costs in making repairs to the outfall structure of the large lake within their subdivision. The residents feel that the City released the escrows prematurely. City Staff and Ward IV Councilmembers met with the Trustees of Country Place in December 1991 and discussed the possibility of funding a portion of the repairs contingent upon the Trustees executing an agreement which would hold the City harmless and release the City from any future obligations toward this lake. The Trustees had not communicated with City Staff since that meeting. City Attorney Beach did not feel the City had any further obligation to fund or make repairs to the lake. Councilmember Hrabko stated that the Committee recommends City Council approve the amount of \$6,492.50 to be reimbursed to the Trustees of Country Place Subdivision for 50% of the cost of repairs to the lake. The Trustees have agreed to sign a hold harmless agreement. A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley, to approve reimbursement of \$6,492.50 (proceeds to come from the Stormwater Fund) to the Trustees of Country Place for repair of the detention lake and that a hold harmless agreement be signed by the Trustees to release the City of Chesterfield from future maintenance and liability. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

Councilmember Politte next reported that the final public hearing for citizen input with regard to the Parks Master Plan has been scheduled for Thursday, February 24, 1994, at 7:00 P.M. Modifications that were proposed in the previous public hearings will be further discussed at this hearing.

Councilmember Politte next reported that in the Work Session City Council voted to adopt certain criteria for proposed parkland and to pursue talks with owners of the proposed property. Councilmember Hilbert emphasized that the Parks Steering Committee is comprised of members from the Parks, Recreation and Arts Citizens Advisory Committee and three Councilmembers, as well as the Mayor and City Administrator.

Councilmember Politte next reported that in the Work Session the Council voted to modify the policy with regard to the issuance of tickets and towing during the snow removal process. The modified policy would be to issue warning tickets on a City-wide basis, ticket only vehicles parked on designated snow routes, and tow vehicles only as a last resort with the Public Works Supervisor on-duty making the determination.

Councilmember Hurt requested that Staff place on the agenda for the next Public Works/Parks Committee meeting discussion with regard to costs being made available to asphalt overlay streets with a designation of #6 or less. Councilmember Politte stated that the budget transfer request for asphalt overlays has been referred to the Public Works/Parks Committee for further review.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for February 24, 1994, at 5:30 P.M.

#### Public Health and Safety Committee

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill #888, as amended, with regard to demolition will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for February 10, 1994, at 7:00 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that two liquor license applications have been received. R. H. III, Inc. d/b/a The Cheese Place, located at 14748 Clayton Road, has requested a license to sell all kinds of intoxicating liquor by the drink to be consumed on the premise where sold. The fee for this license is \$450.00. The application has been reviewed and approved by Chief of Police Ray Johnson and Director of Planning Jerry Duepner. A motion was made by Councilmember Hurt, seconded by Councilmember Hilbert, to approve issuance of the liquor license, as requested by R.H. III, Inc. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

O & W Restaurant and Saloon, Inc., located at 18000 Chesterfield Airport Road, has requested a license to sell all kinds of intoxicating liquor by the drink for consumption on the premise where sold. The fee for this license is \$450.00. The application has been reviewed and approved by Chief of Police Ray Johnson and Director of Planning Jerry Duepner. A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, to approved issuance of the liquor license, as requested by O & W Restaurant and Saloon, Inc. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed.

#### NEW BUSINESS

Councilmember Hrabko reported that Sverdrup Corporation informed the City of Chesterfield that

Prudential is interested in their property on Highway 40, near Timberlake Manor Parkway, Conway Road and inquired as to incentives the City might offer. Prudential desires to build 300,000 sq. ft. of office space and will employ 1,500 employees. The City of Chesterfield is in competition, at the present time, with other municipalities. Sverdrup personnel will visit the Prudential headquarters next week and the Chesterfield Development Corporation has recommended that the City provide an incentive to send along with the Sverdrup personnel to attract this company to the City. Councilmember Hrabko proposed an Inducement Resolution #154 that does not bind the City, but makes a show of good faith that the City will consider a T.I.F. for that particular site. A motion was made by Councilmember Hrabko, seconded by Councilmember Levinson, to adopt Inducement Resolution #154. A voice vote was taken with a unanimous affirmative result (8 - 0) and the motion was declared passed. Councilmember Hurt expressed his concern that if a T.I.F. is established that safety in the north and south outer roads be considered a priority and that lighting be appropriately placed on the outer roads to insure safety of all who travel these roads. Councilmember Hrabko stated that City Council, by adoption of Inducement Resolution #154, assures Sverdrup Corporation that the City of Chesterfield will work with them and Prudential to get this development expedited as quickly as possible.

## LEGISLATION

**BILL #888 PROVIDES FOR THE DEMOLITION, REPAIR OR MAINTENANCE OF BUILDINGS WHICH ARE FOUND TO BE A THREAT TO THE PUBLIC HEALTH AND SAFETY OF THE CITY OF CHESTERFIELD (SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for a second reading of Bill #888, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #888 was read for the second time. A roll call vote was taken for passage and approval of Bill #888, with the following results: Ayes - Hilbert, Greenwood, Clarke, Hurt, Politte, Hrabko and Tilley. Nays - Levinson. Whereupon Mayor Leonard declared Bill #888 approved, passed it and it became ORDINANCE #874.

**BILL #892 AMENDS ORDINANCE #217 OF THE CITY OF CHESTERFIELD TO ADD A NEW POSITION CLASSIFICATION**

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, 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 an affirmative result (7 - 1 - Councilmember Levinson voted "No") and the motion was declared passed.

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for the first reading of Bill #892. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #892 was read for the first time.

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for a second reading of Bill #892. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #892 was read for the second time. A roll call vote was taken for passage and approval of Bill #892, with the following results: Ayes - Hilbert, Greenwood, Hurt,

Politte, Hrabko and Tilley. Nays - Clarke and Levinson. Whereupon Mayor Leonard declared Bill #892 approved, passed it and it became ORDINANCE #875.

BILL #891 AUTHORIZES THE CITY OF CHESTERFIELD TO PLACE ON THE BALLOT OF APRIL 5, 1994, THE QUESTION OF WHETHER OR NOT TO ANNEX AN UNINCORPORATED PORTION OF ST. LOUIS COUNTY TO THE WEST OF THE CURRENT CITY LIMITS ALONG EATHERTON ROAD TO THE MISSOURI RIVER.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, 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 an affirmative result (7 - 1 - Councilmember Hilbert voted "No") and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #891 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #891. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #891 was read for the second time. A roll call vote was taken for passage and approval of Bill #891, with the following results: Ayes - Hilbert, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared Bill #891 approved, passed it and it became ORDINANCE #876. (NOTE: Mayor Leonard vetoed this legislation and no action was taken by City Council to override said veto.)

#### LEGISLATION - PLANNING COMMISSION

BILL #867 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO "R1-A" 22,000 SQ. FT. RESIDENCE DISTRICT FOR A 2.9 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF CONWAY ROAD APPROXIMATELY 1700 FT. EAST OF THE INTERSECTION OF CONWAY AND WHITE ROADS (P.Z. 25-93, NAIDU) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #867. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #867 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #867. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #867 was read for the second time. A roll call vote was taken for passage and approval of Bill #867, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #867 approved, passed it and it became ORDINANCE #877.

BILL #893 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT AND ESCROW AGREEMENT FOR SOMERSET PLAT ONE-A, A SUBDIVISION

LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD,  
EAST OF LONG ROAD (PLANNING COMMISSION RECOMMENDS  
APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #893. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #893 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #893. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #893 was read for the second time. A roll call vote was taken for passage and approval of Bill #893, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #893 approved, passed it and it became ORDINANCE #878.

BILL #894 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURE,  
WARRANTY DEED AND ESCROW AGREEMENTS FOR  
WILDHORSE SPRINGS, A SUBDIVISION LOCATED ON THE NORTH  
SIDE OF WILD HORSE CREEK ROAD, EAST OF THE INTERSECTION  
OF WILD HORSE CREEK ROAD AND WILSON ROAD (PLANNING  
COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #894. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #894 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #894. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #894 was read for the second time. A roll call vote was taken for passage and approval of Bill #894, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #894 approved, passed it and it became ORDINANCE #879.

BILL #896 APPROVES THE BOUNDARY ADJUSTMENT FOR A COMMON BOUNDARY  
BETWEEN LOT 6 AND COMMON GROUND IN COUNTRYSIDE AT  
CHESTERFIELD SUBDIVISION VIA A BOUNDARY ADJUSTMENT  
PLAT

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #896. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #896 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #896. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #896 was read for the second time. A roll call vote was taken for passage and approval of Bill #896, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #896 approved, passed it and it became ORDINANCE #880.

BILL #897 AUTHORIZES A REPLACEMENT ESCROW FOR SIDEWALKS AND TREES  
WITHIN PLAT ONE OF BROOKHILL ESTATES ADDITION  
SUBDIVISION

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #897. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #897 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #897. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #897 was read for the second time. A roll call vote was taken for passage and approval of Bill #897, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #897 approved, passed it and it became ORDINANCE #881.

ADJOURNMENT

A motion was made by Councilmember Politte, seconded by Councilmember Clarke, that the meeting be adjourned to go into Executive Session (closed meeting) to discuss personnel matters. A roll call vote was taken with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 8:15 P.M.

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

ATTEST:

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Martha L. DeMay, City Clerk