



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
FEBRUARY 21, 1995

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

A roll call was taken with the following results:

PRESENT

Councilmember Colleen Hilbert
Councilmember Bill Devers
Councilmember Ed Levinson
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Mike Cullen
Councilmember Linda Tilley

ABSENT

Mayor Jack Leonard
Councilmember Barry Flachsbart

The Pledge of Allegiance was led by Girl Scout Troop #1541 from Green Trails School: Amanda Farb, Amy Rothstein, Jessica Wilson, Christine Williams, Samantha Jacobs, Katie Iborg, Katie Warmington, Amanda Levinson, Lindsay Naas and Caitlin Korn. Also in attendance were Troop Leaders Debbie Farb, Lisa Freeman, Diane Korn and Veronica Campbell.

Pastor Jeff Perry from St. Louis Family Church led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the February 6, 1995, City Council meeting were submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Acting-Mayor Dan Hurt read a letter received from Planning Commission Chairperson Barbara McGuinness with regard to P.Z. 25-95, J.C.C.A., and that this matter will be placed on the February 27 Planning Commission agenda for reconsideration. (See copy attached)

COMMUNICATIONS AND PETITIONS

Mr. Marty Oberman, President of the J.C.C.A., who resides at 11966 Sackston Ridge, expressed his support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. Morris Sterneck, who resides at 862 Blue Spring Lane, expressed his support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. David Friedman, who resides at 15446 Grantley Drive, expressed his support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. Michael Newmark, President of the Jewish Federation of St. Louis, who resides at 18 Crestwood Drive, expressed his support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Ms. Valerie Schmidt, who resides at 248 De Journet Drive, expressed her opposition to the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. James Hall, who resides at 16722 Chesterfield Manor, expressed his opposition to the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. Benjamin Binder, who resides at 1508 Royal Crest Court, expressed his support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Ms. Amanda Farb, who resides at 14400 Marmont, expressed her support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Ms. Elaine DeArmar, who works at 11022 Schuetz Road, expressed her support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Ms. Cindy Schuval, who resides at 2012 Wilson Farm Court, expressed her support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Ms. Patricia Hearst, who resides at 14790 Greenloch, expressed her support for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Mr. Ed Magaletta, who resides at 17109 Westridge Meadow Drive, expressed his support

for the proposed J.C.C.A. location at Baxter Road Extension and Wild Horse Creek Road.

Acting-Mayor Hurt called for a brief recess. The meeting reconvened at 8:05 P.M.

COUNCIL COMMITTEE REPORTS

Councilmember Colleen Hilbert suggested that due to the large number of residents attending recent City Council meetings, that alternative locations be identified which can better accommodate the crowds. It was also suggested that a portable audio system could be rented to accommodate the overflow of individuals from the Chambers. Much discussion ensued. A motion was made by Councilmember Cullen, seconded by Councilmember Levinson, to authorize the City Administrator spend a maximum cost of \$500 for the February 27 Planning Commission meeting, on improved audio capability or to rent another facility. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Politte suggested that other avenues be pursued to secure a portable sound system that could be borrowed for the meeting. Additional discussion took place and a motion was made by Councilmember Hilbert, seconded by Councilmember Politte, to direct Staff to secure a large room, outside the Government Center, that could accommodate a large number of individuals for the March 20 City Council meeting and any other future meetings where large crowds are expected. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed. Signs will be used to advertise the change in the meeting place. After much additional discussion with regard to the appeal process, a motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to send the Planning Commission report with regard to P.Z. 25-95, J.C.C.A., directly to City Council. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Public Works/Parks

Councilmember Ed Levinson, Chairperson of the Public Works/Parks Committee, reported that Bill #'s 1040 and 1041 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Levinson next reported that there is a need to pay for the removal of a large number of tires, deposited by the City following the flood, at the rear of the location that the Public Works Maintenance Department is moving from. The invoice submitted by the property management company for that location indicates a total cost of \$13,021. The Committee recommends approval of this invoice. A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to transfer \$13,021 from Fund Reserves for the cost associated with the move of the vehicle maintenance facility. A voice vote was taken with an affirmative result (Councilmember Hilbert voted "No") and the motion was declared passed. It was noted that Staff continue to seek grant funds to reimburse this expense.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for March 9, 1995, at 7:30 P.M.

Councilmember Politte announced that for the third year the Parks, Recreation and Arts Citizens Advisory Committee will sponsor a reception on Sunday, March 19, following the 3:00 P.M. concert by the Kammergild Chamber Orchestra, as a part of the "Cultural Treasures in Chesterfield" series at the YMCA.

Planning and Zoning

Councilmember Dan Hurt, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 1038 and 1039 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for March 9, 1995, at 5:30 P.M.

Public Health and Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 962, 1010, 1042, 1043 and 1044 will be considered for adoption under the Legislation portion of the agenda. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, to send Bill #962 back to Committee for further review. A voice vote was taken with an affirmative result (Councilmember Hilbert voted "No") and the motion was declared passed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for March 13, 1995, at 7:30 P.M.

Councilmember Tilley recognized Chief Ray Johnson who officially announced the approval of the grant application for federal assistance for funding two (2) police officers for three (3) years. Federal funding will cover 75% of the total cost, with the City required to pay the remaining 25%. This matter will be discussed at the next Public Health and Safety Committee meeting. City Council commended Staff for their effort in securing this grant.

Finance and Administration

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, discussed the issue of adding Veteran's Day holiday to the list of approved City holidays. Councilmember Hilbert reported that the Committee voted to recommend that Veteran's Day be added to the holiday list and that the 1/2 day Christmas Eve holiday be deleted. Much discussion ensued. A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, to add Veteran's Day to the 1995 list of approved holidays and eliminate the 1/2 day holiday for Christmas Eve. Discussion continued and an amendment to the motion was made by Councilmember Levinson, seconded by Councilmember Hurt,

to eliminate the employee Personal Day in 1996 and add to the 1996 holiday schedule the 1/2 day on Christmas Eve. A roll call vote was taken with the following results: Ayes - Devers, Levinson, Hurt, Cullen. Nays - Hilbert, Politte, Tilley. The motion was declared passed. Acting-Mayor Hurt restated the original motion, as amended, that Veteran's Day would be added to the holiday list in 1995, the 1/2 day holiday on Christmas Eve would be eliminated in 1995, as well as the elimination of the Personal Day in 1996. Further discussion ensued. A motion was made by Councilmember Hurt, seconded by Councilmember Cullen, to delete the Personal Day and add Veteran's Day and take the 1/2 day holiday for Christmas Eve out of the original motion. Discussion took place. A motion was made by Councilmember Hurt, seconded by Councilmember Politte, to call for the question on the amendment. A roll call vote was taken with the following results: Ayes - Hurt, Politte, Cullen. Nays - Hilbert, Devers, Levinson, Tilley. The motion failed. Additional discussion ensued. A roll call vote was taken on the amendment to eliminate the Personal Day and add Veteran's Day to the holiday list, with the following results: Ayes - Hurt, Politte, Tilley, Cullen. Nays - Hilbert, Devers, Levinson. The motion was declared passed. Acting-Mayor Hurt stated that the original motion now reflects that Veteran's Day will be added to the holiday list in 1995, and the Personal Day will be deleted in 1996. A roll call vote was taken on the original motion, as amended, with the following results: Ayes - Levinson, Hurt, Politte, Cullen. Nays Hilbert, Devers, Tilley. The motion was declared passed. Councilmembers Hilbert, Tilley and Devers noted that they were not opposed to the addition of Veteran's Day, but were not in favor of eliminating the employees' Personal Day. Additional discussion took place. A motion was made by Councilmember Cullen to delete the Personal Day and add the Veteran's Day in 1996 and that Veteran's Day would be recognized by the City of Chesterfield in 1995, with the official closing of the Government Center. The motion died for lack of a second. A motion was made by Councilmember Levinson, seconded by Councilmember Hurt, to delete the 1/2 day holiday on Christmas Eve in 1995 only, add Veteran's Day in 1995 as an official City holiday and transfer \$3,500 from the Contingency Fund to cover the cost for Police holiday pay. A roll call vote was taken with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte. Nays - Tilley, Cullen. Councilmember Hurt noted that in 1996 the 1/2 day holiday on Christmas Eve will be reinstated, Veteran's Day will remain and the Personal Day will be deleted. As a result, all employees must take their Personal Day prior to December 31, 1995.

Councilmember Hilbert next reported that the Committee voted to authorize payment of \$589.28, as the City of Chesterfield's share for on-going legal expenses concerning the effort by the Fair Share Cities Coalition. Discussion ensued and it was suggested that a total of \$2,000 be transferred from the Contingency Fund to cover all future expenses associated with this legal effort and that the Finance and Administration Committee be authorized to approve future bills at the Committee level. A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, to approve the transfer of funds for expenses incurred by the Fair Share Cities Coalition. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert next reported that the Committee discussed the proposed budget for parks-related bond funds and voted to recommend adoption of the proposed budget by City

Council as an addendum to the current FY1995 budget. A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, to adopt the proposed budget for parks-related bond funds. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert next reported that the Committee voted to recommend that City Council adopt the Investment Policy, prepared by Finance Director Jan Hawn, and amended by City Council in the Work Session. A motion was made by Councilmember Hilbert, seconded by Councilmember Levinson, to adopt the Investment Policy, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hilbert announced that the next meeting of this Committee has been scheduled for March 13, 1995, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring indicated that he had no additional items requiring City Council attention.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL #1010 DEFINES, LICENSES AND REGULATES TOURIST CAMPS, REQUIRING THE REGISTRATION OF GUESTS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF (FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Devers, to table Bill #1010. A roll call vote was taken with the following results: Ayes Devers, Levinson. Nays - Hilbert, Hurt, Politte, Cullen, Tilley. The motion was declared FAILED.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #1010. A voice vote was taken with an affirmative result (Councilmembers Devers and Levinson voted "No") and the motion was declared passed. Bill #1010 was read for the first time.

BILL #1040 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN WESTERLY PLACE IN THE CITY OF CHESTERFIELD (FIRST READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Politte, for the first reading of Bill #1040. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1040 was read for the first time.

BILL #1041 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN STONEBRIAR, PLATS 1 AND 2 IN THE CITY OF CHESTERFIELD (**FIRST READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Levinson, seconded by Councilmember Politte, for the first reading of Bill #1041. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1041 was read for the first time.

BILL #1042 AMENDS ORDINANCE #874 TO PROVIDE SPECIFIC AUTHORITY FOR AUTHORIZED PERSONNEL OF THE CITY OF CHESTERFIELD TO ENTER UPON AN INDIVIDUAL'S PREMISES FOR THE PURPOSES OF MAKING INSPECTIONS AND EXAMINATIONS AND SURVEYS FOR CARRYING OUT THE PURPOSES OF THIS ORDINANCE (**FIRST AND SECOND READINGS - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, 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.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #1042. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1042 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for a second reading of Bill #1042. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1042 was read for the second time. A roll call vote was taken for passage and approval of Bill #1042, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Acting-Mayor Hurt declared Bill #1042 approved, passed it and it became ORDINANCE #1000.

BILL #1043 REPEALS ORDINANCE #463 WHICH REGULATES TAXI CABS IN THE CITY OF CHESTERFIELD (**FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #1043. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1043 was read for the first time.

BILL #1044 AMENDS ORDINANCE #35 SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO (ESTABLISHES "NO PARKING" ON NORTH OUTER FORTY NEAR BONHOMME CHURCH) (**FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #1044. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1044 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL #1038 APPROVES A BOUNDARY ADJUSTMENT PLAT OF PART OF SHARES 3,4,5 AND 6 OF THE ESTATE OF PETER STEFFAN; SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF VALLEY CENTER DRIVE (CITY OF CHESTERFIELD)

A motion was made by Councilmember Hurt, seconded by Councilmember Cullen, for the first reading of Bill #1038. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1038 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #1038. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1038 was read for the second time. A roll call vote was taken for passage and approval of Bill #1038, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Acting-Mayor Hurt declared Bill #1038 approved, passed it and it became ORDINANCE #1001.

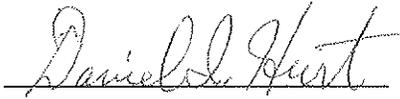
BILL #1039 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION PLAT FOR LOT A CLAYMONT ESTATES, PLAT NO. 3 AND TWO TRACTS OF LAND IN SECTION 26, LOCATED ON THE NORTH SIDE OF CLAYTON ROAD, EAST OF CLAYMONT ESTATES DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Hurt, seconded by Councilmember Cullen, for the first reading of Bill #1039. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1039 was read for the first time.

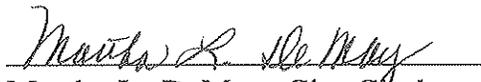
A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, for a second reading of Bill #1039. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1039 was read for the second time. A roll call vote was taken for passage and approval of Bill #1039, with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Acting-Mayor Hurt declared Bill #1039 approved, passed it and it became ORDINANCE #1002.

ADJOURNMENT

A motion was made by Councilmember Politte, seconded by Councilmember Devers, that the meeting be adjourned to go into Executive Session (Closed Meeting) for the purpose of discussing litigation (RSMo 610.021(1), property acquisition (RSMo 610.021(2) and personnel (RSMo 610.021(3)). A roll call vote was taken with the following results: Ayes - Hilbert, Devers, Levinson, Hurt, Politte, Cullen, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 10:10P.M.


Acting-Mayor Dan Hurt

ATTEST:


Martha L. DeMay, City Clerk