



## RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
MARCH 3, 1997

The meeting was called to order at 7:30 P.M.

A roll call was taken with the following results:

### PRESENT

### ABSENT

Mayor Jack Leonard  
Councilmember Barry Flachsbart  
Councilmember Colleen Hilbert  
Councilmember Larry Grosser  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Alan Politte  
Councilmember Mike Cullen  
Councilmember Linda Tilley

None

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge Elementary School: Matt Massey, Jeff Daniels, Mike McQuinn, Chad Lamprecht, Adam Weintrop and Jason Meyer. Also in attendance was Troop Leader Tom Smyka.

Mayor Jack Leonard led the City Council in prayer.

### APPROVAL OF MINUTES

The minutes of the February 18, 1997, City Council meeting were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, 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 presented Ms. Darcy Capstick, Chairperson of the Chesterfield Citizens Committee for the Environment, with the Citizen of the Year Award.

Mayor Leonard next presented Dr. Patti Riggle, Fine Arts Coordinator of the Parkway School District, with a Proclamation designating the month of March as "Music in the Schools Month."

Mayor Leonard next presented representatives from the Girl Scouts in the community with a Proclamation recognizing March 9 - 15 as Girl Scout Week.

Mayor Leonard next presented Ms. Lindsey Kociela, a student at Parkway West Middle School, with a Proclamation for her exemplary volunteer service in the community.

Mayor Leonard announced that the next City Council meeting has been scheduled for April 7, 1997. Councilmember Grosser stated that he had been approached by a resident asking that Council consider having a meeting on March 17 and either April 16 or 17, cancelling the April 7 meeting. A motion was made by Councilmember Grosser, seconded by Councilmember Flachsbart, to schedule a City Council meeting for March 17 and April 16. Discussion ensued. A straw vote was taken for the purpose of determining which Councilmembers could attend the March 17 meeting. It appeared that Councilmembers Hilbert, Politte and Cullen would not be able to attend and Councilmember Hurt was unsure as to whether he could attend. Additional discussion followed. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, to call for the question. A roll call vote was taken with the following results: Ayes - Flachsbart, Grosser, Streeter, Hurt, Politte, Tilley, Cullen. Nays - Hilbert. The motion was declared passed. A roll call vote was taken on the original motion to schedule Council meetings on March 17 and April 16 and cancelling the April 7 meeting with the following results: Ayes - Flachsbart, Grosser, Tilley. Nays - Hilbert, Streeter, Politte, Cullen. Councilmember Hurt "Abstained." The motion was declared failed.

Mayor Leonard next announced that the municipal election will be April 1 and urged those in attendance to exercise their right to vote.

Mayor Leonard next announced that the swearing-in ceremony for newly-elected officials has been scheduled for April 24.

### **COMMUNICATIONS AND PETITIONS**

Chairperson of the Drug Abuse Task Force Jack Giebe introduced members of his Committee and reported on the activities the Committee has been involved with over the past several years. In addition, he reported on the very successful Drug Awareness Day held at Chesterfield Mall on March 1. Mr. Giebe also reported that the first Victim Impact Panel program has been scheduled for March 7. Individuals who have been convicted of driving under the influence of alcohol/drugs will be in attendance at this meeting to witness the victims of DWI incidents.

John Walters, who resides at 152 Kempwood Drive, expressed his opposition to the 1997

City Council meeting schedule and suggested that Council hold two meetings each month.

Clayton Hathaway, who resides at 112 High Valley Drive, stated that he had been denied information that he requested from Mayor Leonard concerning a vote by the Mayors of Large Cities of St. Louis County to support Lambert International Airport Expansion Plan W1W. He also asked that the City of Chesterfield contact the FAA to confirm no position regarding the Lambert International Airport Expansion Plan W1W. Finally, he asked the City to appoint a Committee to do an in depth study of aviation issues in the community.

Charles Scheidt, who resides at 2199 Sycamore Hill Court, expressed his support for a March 17 City Council meeting.

Royce Engel, who resides at 135 Ridgecrest, requested that Council schedule a March 17 meeting and expressed his opposition to the use of public money for ballot issues.

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Zoning Committee**

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill Nos. 1356 - 1358 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for March 6 at 5:30 p.m.

### **Public Works/Parks Committee**

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Bill Nos. 1359 - 1360 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte next reported that St. Louis County Department of Highways and the Missouri Department of Transportation have accepted the invitation from the Chesterfield Transportation Commission to provide liaisons to the Commission. At its last meeting the Commission prioritized activities and identified a potential traffic problem on Olive Boulevard at its intersection with Creve Coeur Mill Road, due to the opening of the new gambling casino in Maryland Heights.

### **Public Health and Safety Committee**

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill Nos. 1351 and 1352 will be read for the second time under the Legislation portion of the agenda.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that it would be necessary to adopt Resolution No. 219 which authorizes an extension of the existing contract with the Chesterfield Community Development Corporation for the services of Mr. Lee McKinney. The rate of compensation for these services remains at \$3,500/month and is funded totally from proceeds generated by the Valley TIF District. He noted that the CCDC has already voted to approve another six month extension to this contract. A motion was made by Councilmember Hilbert, seconded by Councilmember Hurt to adopt Resolution No. 219. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that through the years, the lease for the Police Department facilities has been negotiated to increase the square footage from 6,000 sq. ft. to 9,000 sq. ft while keeping the lease payment at \$36,000/year. The original lease was scheduled to expire 12/31/96. Chief Johnson and Mr. Herring negotiated an extension for calendar 1997 which would recognize the fact that the Police Department now occupies a total of 9,000 sq. ft. The lessor agreed to the annual lease from \$36,000 to \$40,000 which translates to a sq. ft. rate of \$4.44. Not wanting to get caught short, especially given the uncertain nature of when/if a City Hall/Police facility would be constructed, they approached the owners of this property with regard to the possibility of multiple year extension to the current lease, while maintaining the City's ability to cancel the lease at any time, assuming a new municipal building is constructed during the term of the lease. This multi-year agreement carries the Police Department through December 31, 2000. For calendar year 2000 the annual cost would increase to only \$48,600, which translates to a rate of \$5.40/sq. ft. Mr. Herring noted that the lease form has been reviewed/approved by City Attorney Doug Beach. A motion was made by Councilmember Flachsbarth, seconded by Councilmember Grosser, to grant Mr. Herring authorization to execute the multi-year lease agreement for the Police Department facilities. 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 1997 projects involving the construction of handicapped access ramps at a variety of locations throughout the City. These construction projects are funded entirely by a Community Development Block Grant, totaling \$54,327. The low bid submitted by Schuster Engineering, Inc. equals \$45,329. However, it is the recommendation of Mr. Herring that the contract with Schuster Engineering be extended at the unit pricing contained within their bid to total the amount of the CDBG funds not to exceed \$54,327. A motion was made by Councilmember Politte, seconded by Councilmember Cullen, to approve the bid submitted by Schuster Engineering in an amount not to exceed \$54,327 for the construction of handicapped access ramps at various locations within the City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that he and Director of Public Works/City Engineer Mike Geisel are proposing that Sunrise Asphalt receive the contract for asphalt overlays during the 1997 construction season. The Budget for 1997 contains an appropriation of \$100,000 for this purpose. Sunrise Asphalt received the contract for asphalt overlays during 1996. This company has agreed to extend the 1996 pricing for asphalt material and placement into the

upcoming 1997 construction season. Mr. Geisel noted that this appears very much in the best interest of the City and would certainly save significant administrative time in not having to prepare bid specifications and contract documents. A motion was made by Councilmember Politte, seconded by Councilmember Grosser, to approve an amendment to the current contract with Sunrise Asphalt in an amount not to exceed \$100,000, at the same unit prices contained within the 1996 contract. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel and he are recommending approval of a change order with Gershenson Construction Company, Inc. regarding the Sunbridge Stormwater Improvements project. The original contract for this project totaled \$126,155.50 and this change order would total \$37,364.90. Assistant City Engineer Bonnie Hubert and Mr. Geisel note that this change order appears to be warranted and appropriate. The cost for this project will be funded from the current Capital Projects Fund, which contains \$200,000. A motion was made by Councilmember Hilbert, seconded by Councilmember Politte, to approve the change order for the Sunbridge Stormwater Improvements project in the amount of \$37,364.90. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## **NEW BUSINESS**

Councilmember Flachsbart urged for reconsideration of adding the March 17 and April 16 City Council meeting dates to the calendar. City Attorney Beach noted that a motion to reconsider must be made by a person who voted negatively when the first vote was taken. A motion was made by Councilmember Politte, seconded by Councilmember Flachsbart, to add April 16 as a Council meeting date to the calendar and delete the April 7 and April 24 meeting dates. A roll call vote was taken with the following results: Ayes - Flachsbart, Grosser, Streeter, Hurt, Politte, Tilley. Nays - Hilbert and Cullen. The motion was declared passed.

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, to add March 17 as a Council meeting date. A roll call vote was taken with the following results: Ayes - Flachsbart, Grosser, Streeter, Tilley. Nays - Hilbert, Politte, Cullen. Councilmember Hurt "Abstained." The motion was declared passed. Councilmember Hurt "Abstained." The motion was declared passed.

## **LEGISLATION**

BILL NO. 1351

AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON COUNTRY RIDGE AND WHITE CEDAR COURT (**SECOND READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, for a

second reading of Bill No.1351. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1351 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1351, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1351 approved, passed it and it became **ORDINANCE NO. 1234.**

BILL NO. 1352 AMENDS ORDINANCE NO. 137, SECTION 32, AS AMENDED BY ORDINANCE NO. 328, SECTION 32 AS AMENDED BY ORDINANCE NO. 534, SECTION 33 REGARDING THE FINDINGS AND ORDERS OF THE BOARD OF POLICE COMMISSIONERS (**SECOND READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Tilley, seconded by Councilmember Grosser, for a second reading of Bill No.1352. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1352 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1352, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1352 approved, passed it and it became **ORDINANCE NO. 1235.**

BILL NO. 1359 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN PICARDY SUBDIVISION LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READINGS - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL**)

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill No. 1359. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1359 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hurt, for a second reading of Bill No. 1359. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1359 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1359, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1359 approved, passed it and it became **ORDINANCE NO. 1236.**

BILL NO. 1360 APPROVES THE INSTALLATION OF FIRE HYDRANTS IN WILDHORSE MEADOWS SUBDIVISION LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READINGS**)

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill No. 1360. A voice vote was taken with a unanimous affirmative result and the

motion was declared passed. Bill No. 1360 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Grosser, for a second reading of Bill No. 1360. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1360 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1360, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1360 approved, passed it and it became **ORDINANCE NO. 1237**.

### **LEGISLATION - PLANNING COMMISSION**

**BILL NO. 1356** AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1152 AUTHORIZING A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE "R-1" ONE ACRE RESIDENCE DISTRICT AND "FPR-1" FLOOD PLAIN "R-1" ONE ACRE RESIDENCE DISTRICT FOR A 46.7 ACRE TRACT OF LAND LOCATED AT THE WESTERN TERMINUS OF COUNTRYSIDE MANOR PARKWAY (PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1356. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1356 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1356. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1356 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1356, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1356 approved, passed it and it became **ORDINANCE NO. 1238**.

**BILL NO. 1357** PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURE, WARRANTY DEED AND ESCROW AGREEMENT FOR LADUE ROYAL, A SUBDIVISION LOCATED ON THE SOUTH SIDE OF LADUE ROAD, EAST OF GREENTRAILS DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1357. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1357 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, for a second reading of Bill No. 1357. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1357 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1357, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1357 approved, passed it and it became **ORDINANCE NO. 1239**.

BILL NO. 1358

PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURE, WARRANTY DEED AND ESCROW AGREEMENT FOR TWIN ESTATES AT MEADOWBROOK, A SUBDIVISION LOCATED ON THE EAST SIDE OF SYCAMORE DRIVE AT HESTER STREET (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No. 1358. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1358 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1358. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1358 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1358, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No. 1358 approved, passed it and it became **ORDINANCE NO. 1240**.

### **ADJOURNMENT**

A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley, 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 9:05 P.M.

Mayor Jack Leonard

**ATTEST:**

Martha L. DeMay, City Clerk