

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, MARCH 4, 1991

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

A roll call was taken with the following results:

PRESENT ABSENT

Mayor Jack LeonardNone
Councilmember Betty Hathaway
Councilmember Nancy Greenwood
Councilmember June Schroeder
Councilmember Jade Gardner Bute
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Dick Hrabko
Councilmember Linda Tilley

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft School: Luke Smyka, Alex Newberry and Shawn Perry. Also in attendance was Troop Leader Tom Smyka.

The Reverend Timothy Vowells from Incarnate Word Catholic Church led the City Council in prayer.

The minutes of the February 19, 1990, meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Ms. Becky Minogue, who resides at 1575 Timberlake Manor Drive, expressed her support for Ordinance #541, which pertains to the disposal of solid waste. In addition, Ms. Minogue supported the curbside garbage/recycling program as proposed by the City of Chesterfield.

Ms. Barbara Whitman, who resides at 1942 Ridge Lake, expressed her concern with the proposal developed by Environmental Industries for consideration by the City of Chesterfield. Ms. Whitman indicated she would pay more for garbage service, because she indicated she would need two (2) garbage pick-ups in addition to the recycling pick-up.

Mr. David Blitz, Vice President of Sverdrup Investments, Inc., addressed the Council with regard to the traffic study, as completed by his company, in relation to installing additional street lighting on the South Outer 40 Road (Bill #564, P.Z. 22-90, Sverdrup Investments, Inc.) The study indicated that the additional street lighting was not necessary on the South Outer 40 Road, due to the volume of traffic as recorded. Mr. Glitz presented graphs and charts substantiating the results of the study. He also expressed Sverdrup's commitment to the project and, should Council require the additional street lighting, Sverdrup would comply. However, he felt that all the facts should be presented to City Council before a decision has been made.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard recognized Councilmember Jade Gardner Bute, who, in turn, commended Chesterfield Mall for its support for a demonstration of support for the military personnel serving in the Persian Gulf. This event was held Saturday, March 2, 1991. In addition, Councilmember Bute thanked City Clerk Marty DeMay for implementing Councilmember Hathaway's suggestion for recognition of military personnel who are serving in Desert Storm.

Mayor Leonard announced that City Council has approved the nomination of Father Joseph Pins from Ascension Catholic Church to serve a three (3) year term on the Human Rights Commission. Father Pins' term will expire March 6, 1994.

Mayor Leonard next reported that, as approved by City Council, a friendship arrangement has been established with Chesterfield, England.

COUNCIL COMMITTEE REPORTS

Planning/Economic Development

Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, reported that Bill #'s 564 - 569 will be considered for adoption under the legislation portion of the agenda at the Council meeting.

Councilmember Hathaway next reported that concern had been expressed with regard to Union Electric's overhead lines at the Chesterfield Crossing Shopping Center. Union Electric would not move the overhead facilities when requested to do so, without compensation. The Committee voted

unanimously to send a letter to the Public Service Commission informing them of the issue of proximity of the transformer to a residential structure and requesting that a change be made.

Councilmember Hathaway announced the next meeting of this Committee has been scheduled for March 6, 1991.

Finance and Administration

Councilmember June Schroeder, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for March 11, 1991, at 7:30 A.M.

Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, spoke concerning the bid results for the garbage/recycling services recently negotiated on behalf of the residents of Chesterfield by the City of Chesterfield. Councilmember Bute reported that it was the goal of the City Council and the Recycling Committee to accomplish making recycling services available curbside for every single family residence in Chesterfield and to secure a long term contract with the lowest price possible on a variety of garbage collection options. Councilmember Bute announced that her Committee is requesting City Council approval for the bid submitted by Environmental Industries to provide two (2) collections curbside each week, one for garbage and one for recycling, for a five (5) year period. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to accept the bid submitted by Environmental Industries. Councilmember Hrabko stated while his constituents favor curbside recycling, they are concerned about the one garbage collection per week and, consequently, causing them to pay additional money should they choose to select two (2) garbage pickups per week. Councilmember Bute stated that while his comments were true, the best solution for the majority of the residents was the one recycling pickup and one garbage pickup per week. She further stated that Environmental Industries will help the Recycling Committee with its recycling program at the Chesterfield Mall for the months of April, May and June, until the city-wide curbside recycling program starts on July 1, 1991. In addition, recycling at Chesterfield Mall and the local grocery stores will stop after curbside recycling begins. Councilmember Hathaway expressed her support for the proposed two (2) curbside collections weekly, one (1) for recycling and one (1) for garbage collection. Councilmember Hurt stated his support for the proposed recycling program, as proposed by the City of Chesterfield. Councilmember Greenwood expressed her support for the proposed recycling program. Councilmember Bute stated that the provider of the garbage/recycling services will assist the City in educating the residents as to the new program and will provide free of charge a recycling container. Councilmember Greenwood commented that the proposal would still provide two (2) collection days weekly. People were simply being asked to recycle on one of those two (2) days. In

so doing, the average customer will save money. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that the Committee is recommending City Council approval for the bid submitted by Havens and Emerson to prepare a comprehensive survey of streets within the City of Chesterfield. A transfer of funds from Fund Balance (Account 001-000.000.300.000) to Professional Services (Account 001-070.071-520.261) in the amount of \$180,000 will be required. According to Councilmember Bute, this recommendation has been reviewed and endorsed by the Public Works Citizens Advisory Committee, as well. The study, once completed, will provide for the establishment of a comprehensive pavement management system, which will enable the City of Chesterfield to objectively determine how best to spend future dollars allocated for capital improvement street construction projects. Specific costs will be identified for such projects and the study will group and prioritize them. In addition, this information will be used by the Public Works Department to determine how to channel resources on smaller projects that City employees will continue to undertake on an annual basis. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to accept the bid submitted by Havens and Emerson for a cost of \$180,000.00. Councilmember Schroeder expressed her concern at the amount of money this study will incur and moved to table this issue until the next Council meeting. The move to table was seconded by Councilmember Hrabko. Councilmember Bute reiterated that her Committee unanimously voted to recommend that this study be undertaken by Havens and Emerson. In addition, since aerial photos are required, work must begin soon before spring foliage appears. Councilmember Schroeder expressed her opinion that waiting a couple of weeks would not delay the project. Councilmember Hurt questioned as to whether or not delaying the study would impact the slab work already approved by Council and was assured that it would not. Councilmember Greenwood reminded Councilmember Hurt that by delaying until the fall of the year, the budget process would have begun and Council would not know the overall impact on projects to be done in house versus those contracted out if this long range study were not available. A roll call vote was taken with the following results: Ayes - Schroeder, Hurt, Hrabko, Tilley. Nays - Hathaway, Greenwood, Bute, Politte. As a result of the tie vote, Mayor Leonard voted "yes" in support of the motion.

Councilmember Bute announced the next meeting of this Committee, originally scheduled for March 7, 1991, has been canceled. The next meeting of this Committee has been scheduled for March 21, 1991, at 5:30 P.M.

Public Health and Safety

Councilmember Dan Hurt, Chairperson of the Public Health Committee, announced that the next meeting of this Committee has been scheduled for March 12, 1991, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the state contract for police cars had been awarded to Johnny Londoff Chevrolet. The total cost of purchasing eight (8) cars under the state contract totals \$99,186.08. Bids have been reviewed and approved by Chief of Police Ray Johnson and Finance Director Jan Kluba. Adequate funds remain within the budget to cover the cost of these new vehicles. Mr. Herring recommended City Council approve the purchase of eight (8) police cars for a purchase price of \$99,186.08 from Johnny Londoff Chevrolet. A motion was made by Councilmember Schroeder, seconded by Councilmember Hurt, to purchase these vehicles. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently received for the purchase of two (2) dump trucks with snow plows. The lowest and best bid, meeting all specifications, was submitted by Carroll-Rehma Motors, for the purchase of Chevrolet C7H042 dump trucks, with snow plows for a total purchase price of \$96,380.00. The amount budgeted for this purchase totaled \$95,000.00. However, the \$1,380.00 overage can easily be accommodated through savings of \$1,700.00 which was realized on the purchase of a concrete cart. The bids have been reviewed and approved by Director of Public Works/City Engineer Bill Hawn and Finance Director Jan Kluba. Mr. Herring recommended City Council approval for the purchase of these vehicles. A motion was made by Councilmember Bute, seconded by Councilmember Politte, to accept the bid. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION - PLANNING COMMISSION

BILL #564 AMENDS ST. LOUIS COUNTY ORDINANCE #13,787 TO REVISE A "C-8" PLANNED COMMERCIAL DISTRICT ON THE SOUTH SIDE OF CONWAY ROAD APPROXIMATELY 250 FT. WEST OF WHITE ROAD AND TO ADD TO SAID "C-8" PLANNED COMMERCIAL DISTRICT A FIVE (5) ACRE TRACT OF LAND CURRENTLY ZONED "NU" NON-URBAN TO SAID DEVELOPMENT (P.Z. 22-90, SVERDRUP INVESTMENTS, INC.)

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for the first reading of Bill #564. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #564 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for a second reading of Bill #564. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #564 was read for the second time. Councilmember Hathaway stated that she recommended amending Attachment A, under lighting requirements, Item Q, to include lighting

on "both North and South Outer 40 right-of-way as approved by the Missouri Highway and Transportation Department and the City of Chesterfield". A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, to amend Attachment A as noted.

Councilmember Bute stated her concern that it was not fair to require the developer to fund street lighting on the southeast quadrant of the Timberlake Manor interchange. She further requested that if the ordinance is passed requiring Sverdrup to install street lighting on both the North and South Outer 40 Road that the City develop a method to require future development to reimburse Sverdrup for this expense. Councilmember Hrabko reported that information which had recently been sent to residents contained misinformation. He further stated that it was taking unfair advantage of the developer to require that improvements be made in other areas that are not contained in their development. Councilmember Greenwood expressed her discontent with the fact that misinformation had been sent to the residents. Discussion ensued regarding Bill #564. Councilmember Greenwood expressed her desire to keep the residential integrity intact along Conway Road. Councilmember Bute expressed her support for this development and felt it was a "win-win" situation for both the City and the residents. Councilmember Hrabko expressed his support for the development and his appreciation to Sverdrup for their patience in working with the City and to the residents for the working relationship established with the City to endorse this project. A roll call vote was taken with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Politte, Tilley. Nays - Greenwood, Hrabko. The motion was declared passed.

A roll call vote was taken for passage and approval of Bill #564, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #564 approved, passed it and it became ORDINANCE #563.

Councilmember Hurt thanked Sverdrup, City Council and the residents for their professionalism in working through the details of this project. Mayor Leonard welcomed Sverdrup to the City of Chesterfield. Councilmember Hathaway addressed misinformation contained in a letter sent to the citizens residing along South Outer 40 with regard to the percentage of traffic that this project would generate and that City Council had eliminated the street lighting requirements on the south side because not enough residents had not expressed their desire to have the lighting. She expressed her disappointment that the misinformation contained in this letter was a disservice to those who had worked so hard on this project. Councilmembers were not copied with this letter so they had no idea who received the letter and what it contained. As a result, the Councilmembers were inundated with phone calls from the residents.

BILL #565 AMENDS ST. LOUIS COUNTY ORDINANCE #11,356 A "C-8" PLANNED COMMERCIAL DISTRICT AND THE REZONING FROM "M-3" PLANNED INDUSTRIAL DISTRICT TO A COMBINED "C-8" PLANNED COMMERCIAL FOR A 4.7 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF U.S. HIGHWAY 40/61 AND I-64, APPROXIMATELY 600 FT. EAST OF LONG ROAD (P.Z. 1-91, LOU

FUSZ FORD, INC.)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #565. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #565 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for a second reading of Bill #565. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #565 was read for the second time. A roll call vote was taken for passage and approval of Bill #565, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #565 approved, passed it and it became ORDINANCE #564.

BILL #566 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE "NU" NON-URBAN DISTRICT TO "R-3" 10,000 SQ. FT. RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENT UNIT PROCEDURE FOR A PARCEL OF PROPERTY LOCATED ON THE WEST SIDE OF SYCAMORE DRIVE APPROXIMATELY 900 FT. NORTH OF KEHRS MILL DRIVE (P.Z. 2 & 3-91, MICELI COMPANY)

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for the first reading of Bill #566. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #566 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #566. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #566 was read for the second time. A roll call vote was taken for passage and approval of Bill #566, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #566 approved, passed it and it became ORDINANCE #565.

BILL #567 AMENDS A "C-8" PLANNED COMMERCIAL DISTRICT FOR A TRACT OF LAND LOCATED ON THE EAST SIDE OF BAXTER ROAD SOUTH OF CLAYTON ROAD KNOWN AS BAXTER OFFICE PARK (P.C. 19-75, DERRILL J. HEILAND)

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for the first reading of Bill #567. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #567 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Greenwood, for a

second reading of Bill #567. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #567 was read for the second time. A roll call vote was taken for passage and approval of Bill #567, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #567 approved, passed it and it became ORDINANCE #566.

**BILL #568 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, WARRANTY DEED,
TRUST INDENTURE, AND ESCROW AGREEMENT GUARANTEEING
SUBDIVISION IMPROVEMENTS FOR THE AMHERST SUBDIVISION**

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for the first reading of Bill #568. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #568 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for a second reading of Bill #568. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #568 was read for the second time. A roll call vote was taken for passage and approval of Bill #568, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #568 approved, passed it and it became ORDINANCE #567.

**BILL #569 APPROVES THE RECORD PLAT, GENERAL WARRANTY DEED, REVISED
SUBINDENTURE OF TRUST AND RESTRICTIONS AND ESCROW
AGREEMENT FOR ESTATES AT BAXTER LANE**

A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, for the first reading of Bill #569. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #569 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, for a second reading of Bill #569. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #569 was read for the second time. A roll call vote was taken for passage and approval of Bill #569, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #569 approved, passed it and it became ORDINANCE #568.

ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Hathaway, 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 7:55 P.M.

Mayor Jack Leonard

ATTEST:

Martha L. DeMay, City Clerk