



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, MARCH 21, 1994

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The meeting was called to order at 7:10 P.M.

A roll call was taken with the following results:

PRESENT/ABSENT

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 Brownie Troop #2866 from Incarnate Word School: Nicole Horton, Breanna Guempel, Julie Dunavant, Elizabeth Aston, and Maggie Dunn. Also in attendance was Troop Leader Vicky Horton.

Reverend Harvey Fields from Union Baptist Church led the City Council in prayer.

The minutes of the March 7, 1994, meeting were submitted for approval, as amended. A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, to approve the minutes, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Richard Belding, President of the Riverbend Association, 281 Ridge Trail Drive, reported on the Riverbend Association's survey of the residents directly affected by the asphalt overlay projected for Riverbend. Mr. Belding submitted a copy of the survey results to the Clerk. Mr. Belding urged Council to pursue a bond issue route for major street repair, and thanked Councilmembers Hurt and Greenwood for their efforts to move toward evaluating rebuilding the City streets more quickly and completely, using a bond issue. In addition, Mr. Belding protested a letter sent by Mayor Leonard to the staff of the Riverbend neighborhood newsletter, using city resources. Mr. Belding also protested the relaxing of sign restrictions.

Ms. Kay Folsom, who resides at 1747 Baxter Forest Valley Court, spoke on behalf of Mary Brown, whose term on the Planning Commission expires April 4, 1994. Ms. Folsom urged Mayor Leonard to reappoint Mary Brown to the Planning Commission.

Ms. Millie Hill, who resides at 46 Witmer Drive, spoke on behalf of Mary Brown to be reappointed to the Planning Commission, stated that the Chesterfield Association for Informed Residents (C.A.I.R.), would like to thank Mary Brown for her years of service to the City.

Ms. Jade Gardner Bute, who resides at 1510 Walpole, spoke on behalf of the reappointment of Mary Brown to the Planning Commission, and urged the Council and Mayor to reappoint Mary Brown to the Planning Commission.

#### INTRODUCTORY REMARKS

Mayor Jack Leonard announced that he intended to make appointments to the Planning Commission this evening, but that the Council prefers to meet the candidates at the meeting to be held March 23, 1994, and then the Mayor will make his appointments at the Council Workshop scheduled for that same meeting.

Mayor Leonard next reminded everyone to please vote on April 5.

Mayor Leonard announced that the next regular Council meeting is April 18, 1994. However, a special City Council Workshop will be held March 23, 1994, at 7:30 p.m.

#### COUNCIL COMMITTEE REPORTS

##### Finance and Administration

Councilmember Greenwood, Chairperson of the Finance and Administration Committee, opened with discussion of Bill #909, Court Bailiff position, stating that if the ordinance is adopted, Resolution #161 will need to be adopted, specifying the name of the individual, salary, effective date, and length of term. Another item to be voted upon would be the transfer of funds from the contingency fund to cover this salary.

Councilmember Greenwood stated that Bill #910, establishes the process to refund the business license fee to those businesses in the Valley who went out of business as a result of the flood that occurred in the Valley. It is a reimbursement to **only** those businesses who went out of business due to the flood.

## Planning and Zoning

Councilmember Susan Clarke, Chairperson of the Planning and Zoning Committee, stated Bill #907-A, Taylor-Morley, Inc.; Bill #908 - Record Plan/Escrow for Countryside at Chesterfield Plat 3; and Bill #898 - P.Z. 11-93, City of Chesterfield Planning Commission (Sign Ordinance Revisions) will come under the legislative portion.

Councilmember Clarke reported that the City had received a petition for a Vacation of Right-of-Way, and made a motion to refer this to Staff. Councilmember Greenwood seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next reported that a petition has been submitted for a CUP for P.C. 86-75 Cedarmill Bath and Tennis Club. Councilmember Clarke made a motion to receive and file, which was seconded by Councilmember Levinson. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke announced that the next meeting of this Committee would be March 23, 1994, at 5:30 p.m.

## Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that under the current budget there is \$50,000 allocated for sidewalks. One of the proposals by Staff is to put a sidewalk along River Valley Drive by the elementary school. An additional item proposed by Staff, and accepted by the Committee, is to install new sidewalks along Deerhorn Drive. The combined projects would cost approximately \$38,000.

Councilmember Politte next reported on the proposed modification to Council Chambers/Budget Transfer. Councilmember Politte noted that there is a real need for additional space, which could be achieved by adding a room divider in the Chambers. Councilmember Politte made a motion to approve installation of a folding wall, with a cost not to exceed \$9,341. The motion was seconded by Councilmember Hrabko. A roll call vote was taken with the following results: Ayes - Hurt, Politte, Hrabko. Nays - Hilbert, Greenwood, Levinson, Clarke, and Tilley. The motion was declared failed.

Councilmember Politte next reported that a special Council Workshop has been scheduled for March 23, 1994, at 7:30 p.m., regarding the Parks Master Plan. The sole purpose of the meeting is for the consultant to present a summary of the work to date and to respond to questions/comments from City Council. Following that meeting, the Parks Advisory Committee will meet on Saturday, March 26, 1994, and will vote on the document to be forwarded to City Council for consideration.

Councilmember Politte next stated that Bill #900, which is the revision of Ordinance #642, provides exemptions to the current hours of construction. There were a few minor changes since the last meeting, one was to keep the hours the same, with the exception of Sunday hours, which would not commence until 11:00 a.m., and to reduce the distance, within which the ordinance would apply, to 500 feet. Exceptions can be made if the home builder makes a request to the City Engineer. Exceptions would be determined by Staff. This will be voted on under the Legislative portion.

Councilmember Politte next discussed the proposed budget transfer regarding the Valley cleanup. A request has been made by the St. Louis Family Church for dumpsters to assist with the Valley

cleanup. Councilmember Politte made a motion to provide dumpsters, equipment, and staff support with a total cost of dumpster service not to exceed \$10,000, which would be transferred from the contingency fund incrementally, as needed. The motion was seconded by Councilmember Tilley. After discussion, a roll call vote was taken with the following results: Ayes - Hilbert, Levinson, Clarke, Hurt, Politte, Tilley, and Hrabko. Nays - Greenwood. The motion was declared passed.

Councilmember Politte announced that the next meeting of this Committee, which was scheduled for April 11, 7:30 a.m., has been canceled, due to the municipal election.

### Public Health & Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, stated that there was nothing to report.

### Report of the City Administrator

City Administrator Mike Herring stated that a liquor license request has been submitted by the new owners of the Sports Page, located at 13431 Olive Street Road, to sell all types of intoxicating liquor by the drink to be consumed on premises and Sunday sales. The license fee is \$174.52, which is prorated. It has been reviewed and approved by Chief of Police Ray Johnson and Director of Planning Jerry Duepner. Councilmember Tilley moved to approve this license, which was seconded by Councilmember Clarke. A voice vote was taken with a unanimous affirmative result. The motion was declared passed.

Mr. Herring next reported on Resolution #159, which involves Chesterfield Community Development Corporation being authorized by City Council to hold a public hearing with regard to possible issuance of bonds to assist Brooking Park to expand its current facility. Councilmember Hrabko moved for approval of Resolution #159. The motion was seconded by Councilmember Hurt. A voice vote was taken with a unanimous affirmative result. The motion was declared passed.

Mr. Herring next reported on Resolution #160, which involves the ability of the City of Chesterfield to participate in a cooperative purchasing plan with the Missouri Highway and Transportation Department for purchase of trucks and equipment. Councilmember Hrabko moved for approval of Resolution #160. The motion was seconded by Councilmember Clarke. A voice vote was taken with a unanimous affirmative result. The motion was declared passed.

### Legislation

**BILL #900 REPEALS ORDINANCE #642 AS IT RELATES TO COMMERCIAL AND PRIVATE CONSTRUCTION OPERATION OF HEAVY EQUIPMENT AND IMPLEMENTING A NEW ORDINANCE THEREOF**

A motion was made by Councilmember Politte, seconded by Councilmember Levinson, for the first reading of Bill #900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #900 was read for the first time.

**BILL #903 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD (THE BLUFFS OF WILDHORSE)**

A motion was made by Councilmember Politte, 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 a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for the first reading of Bill #903. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #903 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for a second reading of Bill #903. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #903 was read for the second time. A roll call vote was taken for passage and approval of Bill #903, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #903 approved, passed it and it became ORDINANCE #885.

**BILL #904 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD (SEA BEAUTY FARM)**

A motion was made by Councilmember Politte, 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 a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for the first reading of Bill #904. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #904 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for a second reading of Bill #904. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #904 was read for the second time. A roll call vote was taken for passage and approval of Bill #904, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #904 approved, passed it and it became ORDINANCE #886.

**BILL #905 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD (WILDHORSE SPRINGS)**

A motion was made by Councilmember Politte, 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 a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for the first reading of Bill #905. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #905 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for a second reading of Bill #905. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #905 was read for the second time. A roll call vote was taken for passage and approval of Bill #905, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #905 approved, passed it and it became ORDINANCE #887.

**BILL #906 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD (CHESTERFIELD FARMS PHASE II)**

A motion was made by Councilmember Politte, 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 a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for the first reading of Bill #906. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #906 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hrabko, for a second reading of Bill #906. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #906 was read for the second time. A roll call vote was taken for passage and approval of Bill #906, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #906 approved, passed it and it became ORDINANCE #888.

**BILL #909 ESTABLISHES THE POSITION OF MUNICIPAL COURT BAILIFF FOR THE MUNICIPAL COURT OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Tilley, 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 a 7-1 affirmative result and the motion was declared passed (Councilmember Greenwood voted "no").

A motion was made by Councilmember Tilley, seconded by Councilmember Hrabko, for the first reading of Bill #909. A voice vote was taken with a 7-1 affirmative result and the motion was declared passed (Councilmember Greenwood voted "no"). Bill #909 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Hrabko, for a second reading of Bill #909. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #909 was read for the second time. A roll call vote was taken for passage and approval of Bill #909, with the following results: Ayes - Hilbert, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared Bill #909 approved, passed it and it became ORDINANCE #889.

**RESOLUTION #161**

A motion was made by Councilmember Tilley to approve establishing the compensation for the paid position of Court Bailiff at \$400 per month, and to transfer \$4,000 from the Contingency Fund to cover this expense. The motion was seconded by Councilmember Hrabko. A roll call vote was taken for passage and approval of this amount with the following affirmative 6-2 results: Ayes - Hilbert, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - Greenwood and Hurt. Whereupon

Mayor Leonard declared the motion passed.

A motion was made by Councilmember Tilley to make the Court Bailiff position effective March 21, 1994, with a four-year term ending March 21, 1998. Councilmember Hrabko seconded the motion. A roll call vote was taken for approval of this motion with the following affirmative 6-2 results: Ayes - Hilbert, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - Greenwood and Hurt. Whereupon Mayor Leonard declared the motion passed.

The Mayor placed in nomination the name of Mark Beldner to fill the position of Court Bailiff. A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley to accept this nomination. A roll call vote was taken with the following affirmative 7-1 results: Ayes - Hilbert, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared the motion passed. A motion was then made by Councilmember Tilley, seconded by Councilmember Hrabko, to adopt Resolution #161, with all of the previous votes reflected therein. A voice vote was taken with a 7-1 affirmative result (Councilmember Greenwood voted "no"), and the motion was declared passed.

**BILL #910 PROVIDES FOR THE REFUND OF THE BUSINESS LICENSE FEE FOR THOSE SPECIFIC BUSINESSES WHICH HAVE CLOSED OPERATION BECAUSE OF THE FLOOD OF 1993 AND WHICH HAVE HAD PRIOR TO SUCH FLOOD PAID A BUSINESS LICENSE FEE TO THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Greenwood, seconded by Councilmember Hrabko for the first reading of Bill #910. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #910 was read for the first time.

### **Planning Commission Legislation**

**BILL #907 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE "NU" NON-URBAN DISTRICT TO "R-1" 1 ACRE RESIDENCE DISTRICT AND "R-1A" 22,000 SQ. FT. RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENT UNIT PROCEDURE FOR A 10.53 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF WILD HORSE CREEK ROAD, APPROXIMATELY 900 FT. WEST OF CHESTERFIELD ESTATES DRIVE (P.Z. 1 & 2-94, TAYLOR-MORLEY, INC.)**

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for the first reading of Bill #907. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #907 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #907. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #907 was read for the second time. A roll call vote was taken for passage and approval of Bill #907, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #907 approved, passed it and it became ORDINANCE #890.

BILL #908 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, WARRANTY DEED AND ESCROW AGREEMENT FOR COUNTRYSIDE AT CHESTERFIELD PLAT THREE, A SUBDIVISION LOCATED ON THE WEST SIDE OF KEHRS MILL ROAD, SOUTH OF WILD HORSE CREEK ROAD (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for the first reading of Bill #908. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #908 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #908. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #908 was read for the second time. A roll call vote was taken for passage and approval of Bill #908, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #908 approved, passed it and it became ORDINANCE #891.

BILL #898 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTIONS 1003.020 DEFINITIONS AND 1003.168 SIGN REGULATIONS (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Clarke, to amend the Bill to read "on the building only over the front door." A roll call vote was taken for passage and approval of Bill #898, as amended, with the following results: Ayes - Hilbert, Clarke, Levinson, and Hrabko. Nays - Greenwood, Hurt, Politte, and Tilley. Whereupon Mayor Leonard declared a tie vote, and voted "no." The motion was declared failed.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for the first reading of Bill #898. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #898 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #898. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #898 was read for the second time. A roll call vote was taken for passage and approval of Bill #898, with the following results: Ayes - Clarke, Levinson, Hurt, and Hrabko. Nays - Hilbert, Greenwood, Politte, and Tilley. Mayor Leonard declared a tie vote, and voted "yes." Whereupon Mayor Leonard declared Bill #908 approved, passed it and it became ORDINANCE #892.

ADJOURNMENT

Councilmember Hrabko, as President Pro tem, spoke on behalf of City Council, and commended Councilmember Greenwood for her four years of outstanding service.

A motion was made by Councilmember Hrabko, seconded by Councilmember Greenwood, 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 8:30 P.M.

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

ATTEST:

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Janice Corbin, Deputy City Clerk