

**RECORD OF PROCEEDING**

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, MAY 20, 1991

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Jack Leonard	None
Councilmember Betty Hathaway	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Jade Gardner Bute	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Girl Scout Troop #1558 from Green Trails School: Lauren Harris, Jenny Williams, Michelle Kieff, Mandy Warmington, Lindsay Hyatt, Lisa Virag, Sirisha Vaddi and Jennifer Deckert. Also in attendance was Troop Leader Marva Warmington.

Reverend Carlton Norton from St. John's United Church of Christ led the City Council in prayer.

The minutes of the May 6, 1991, meeting were submitted for approval. A motion was made by Councilmember Greenwood, seconded by Councilmember Bute, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Steve Boriss, who resides at 50 River Bend Drive, addressed the Council and expressed his opposition to the Chesterfield Valley Study and to the proposed Economic Development Council.

Mr. Royce Engel, who resides at 135 Ridgecrest Drive, addressed the Council and expressed his opposition to the Economic Development Council.

### INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard nominated Mr. Norman Stewart for re-appointment to the Board of Adjustment. A motion was made by Councilmember Hathaway, seconded by Councilmember Hrabko, to re-appoint Mr. Norman Stewart to the Board of Adjustment. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Stewart's term would expire June 1, 1996.

Mayor Leonard reported that the Boundary Commission has given approval by a vote of 7 - 2 for the City of Chesterfield's proposed annexation. The final vote by the Boundary Commission on this annexation has been scheduled for May 23, 1991. Mayor Leonard stated that this annexation matter could possibly be placed on the November 5, 1991, ballot. Voters both in the City of Chesterfield and the area to be annexed must approve of this annexation.

Mayor Leonard next presented a Proclamation to Ms. Kay Fletcher, Chairperson of the Drug/Alcohol Abuse Task Force thanking her for her efforts. Ms. Fletcher has resigned as Chairperson of this Committee, as she is moving to Dallas, TX. Ms. Fletcher expressed her appreciation after having been presented the Proclamation.

### COUNCIL COMMITTEE REPORTS

#### Planning/Economic Development

Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, reported that Bill #583 and Bill #579 will be considered for adoption under the legislation portion of the agenda.

Councilmember Hathaway announced that the next meeting of this Committee has been scheduled for May 22, 1991, at 5:30 P.M. In addition, Councilmember Hathaway announced that a Town Hall meeting concerning the proposed the Economic Development Council has been scheduled for May 30, 1991, at 7:30 P.M. She also invited those in attendance to attend the Economic Development Ad-Hoc Committee meetings on May 23, 1991, at 3:30 P.M. and June 13, 1991, at 3:30 P.M.

## PUBLIC WORKS/PARKS

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, announced the designation of citizen Committee liaisons: Councilmember Bute - Public Works Citizens Advisory Committee and Historical Committee; Councilmember Politte - Parks/Recreation Advisory Committee; Councilmember Tilley - Public Works Board of Variance; Councilmember Greenwood - Recycling Committee.

Councilmember Bute next announced that the "Don't Bag It" meeting has been scheduled for June 4, 1991, at 7:00 P.M. John Whalen, a Horticulture Expert from the University of Missouri Extension Center, will be the speaker, along with Larry Connell from Environmental Industries. The meeting is designed to inform residents about disposal of grass clippings, leaves and branches in relation to the passage of State Bill #530.

Councilmember Bute next discussed Resolution #103, which encourages the Metropolitan Sewer District (MSD) to extend its maintenance responsibility west of Highway 270 for stormwater. MSD does not accept this additional maintenance responsibility at this time. A motion was made by Councilmember Bute, seconded by Councilmember Clarke, to adopt Resolution #103. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that the Committee recommended that the City of Chesterfield maintain the lane striping at the intersection of Olive and River Valley Drive, once the Missouri Highway Department has designated and striped the left turn lane, as well as arrows for the right turn lane. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to maintain the lane striping at Olive and River Valley Drive after the initial striping by the Missouri Highway Department. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that the County Highway Department has identified plans to work on Kehrs Mill Road at its intersection with Pacland Place. They are planning to rework the roadway to improve visibility and safety. The Committee instructed Mr. Herring to express appreciation to the County Highway Department for this project.

Councilmember Bute next reported that Bill #581, with regard to the installation of fire hydrants in Wild Horse Village Subdivision, will be considered for adoption under the Legislation portion of the agenda.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for June 6, 1991, at 7:30 A.M.

## Public Health and Safety

Councilmember Alan Politte, Chairperson of the Public Health and Safety Committee, announced the designation of citizen Committee liaisons: Councilmember Politte - Board of Police Commissioners; Councilmember Clarke - Drug/Alcohol Abuse Task Force; Councilmember Hathaway - Human Rights Commission.

Councilmember Politte recognized Councilmember Tilley to report on Bill #580 with regard to restrictions in residential lighting. The Committee also recommended that the Police Department be authorized to purchase one (1) luminometer, at an estimated cost of \$150.00, which would be used for enforcement of this proposed ordinance. This was approved by a voice vote of City Council. Bill #580 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte next reported that the City of Chesterfield received a letter from Mr. J. T. Yarnell, District Engineer for the Missouri Highway and Transportation Department, concerning the Department's denial of a request from the City to erect "Slippery When Wet" signs on northbound Clarkson Road at New Baxter Road. The Committee directed Mr. Herring to communicate with Mr. Yarnell the Committee's continued concern with regard to the unsafe condition of this stretch of roadway during and following periods of rain.

Councilmember Politte next reported, as recently publicized in the newspapers, Police Departments, when necessary, seize personal property during drug arrests and other arrests. The Committee has reviewed the policy of the Chesterfield Police Department with regard to seizure of personal property during such arrests. The results of this review reveal that in such situations, the cases are turned over to the St. Louis County Prosecuting Attorney and decisions concerning prosecution are the decision of the St. Louis County Prosecuting Attorney and not the local authorities. Councilmember Politte added that the St. Louis County Prosecuting Attorney indicated to Chief of Police Ray Johnson that of all the municipalities in St. Louis County, Chesterfield is the only one which has, from the outset, handled these situations correctly.

Councilmember Politte next recognized City Attorney Doug Beach to explain Bill #582, which pertains to the regulations of firearms. Mr. Beach stated that since the original ordinance which was adopted concerning regulations for firearms, Council, through their action, has greatly expanded the definitions of same. As a result, in the review of the original ordinance for codification, it was deemed appropriate to repeal the original ordinance in its entirety. Bill #582 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for June 12, 1991, at 7:30 A.M.

#### Finance and Administration

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that the Chesterfield Community Events Corporation had requested \$2,000.00 to help in funding the upcoming Chesterfield Days event and \$2,000.00 to help in funding the Haunted House in the fall. The Committee voted unanimously to authorize \$2,000.00 to assist in funding the Chesterfield Days event and \$1,000.00 as support for the Haunted House.

Councilmember Tilley next announced the designation of citizen Committee liaisons: Councilmember Hurt - Finance and Administration Citizens Advisory Committee; Councilmember Greenwood - Citizens Interaction Committee; Councilmember Tilley - Chesterfield Community Events Corporation/Volunteer Committee with Councilmember Clarke serving as alternate to both entities.

Councilmember Tilley next recognized City Administrator Mike Herring to explain the proposed Long Term Disability insurance. It was pointed out that the level of benefits to be provided could be increased at a cost savings for this year of \$2,100.00. J. W. Terrill, the current carrier, had agreed to reduce the administrative charge for the Flexible Benefits Plan from \$175.00/month to a minimum of \$75/month or the number of participants times \$3.50, whichever is greater. The Committee voted unanimously to accept the recommendation that the City of Chesterfield contract with U.N.U.M. for provision of long-term disability insurance for all employees, at a cost of \$.46/\$1000 of covered payroll. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, to approve all three recommendations regarding the Long Term Disability insurance. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next explained that Bill #584, with regard to an amendment to Ordinance #535 (No Smoking Policy), has been placed on hold and referred back to Committee.

Councilmember Tilley next recognized City Administrator Mike Herring to discuss a proposal to adjust pay grades. Mr. Herring stated that the Salary Administration Manual requires the pay plan to be amended annually, based upon the rate of inflation, as determined by the Consumer Price Index from the U.S. Department of Labor, Bureau of Labor Statistics. Information provided by this source indicated that the one (1) year increase, from January 1, 1990 - January 1, 1991, totaled 4.6%. The Committee voted unanimously to authorize and recommend an amendment to the pay grades totaling 4.6%. A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to approve the 4.6% in the pay grades.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for June 10, 1991, at 7:30 A.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring announced that the Government Center will be closed on Monday, May 27, 1991, in observance of Memorial Day. In addition, Mr. Herring announced that the first

meetings of Council during the months of July, August and September have been canceled. Council meetings during those months have been scheduled for July 15, August 19, and September 16.

Mr. Herring next explain that Council would need to adopt Resolution #104 in order to authorize the City of Chesterfield to apply for an extension of grant funds for the operation of the M.E.G. unit, through the end of the calendar year 1992. Based upon the formula provided by the federal government, the City's share for receiving \$84,880.00 to fund the entire unit will be only \$5,305.00. In addition, Mr. Herring stated that the other three (3) cities which actively participate with Chesterfield in this program have already endorsed seeking grant funds. A motion was made by Councilmember Politte, seconded by Councilmember Clarke, to adopt Resolution #104. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that requests have been received for liquor license renewals and temporary liquor licenses. All applications have been reviewed and approved by Chief of Police Ray Johnson and Director of Planning/Economic Development Jerry Duepner. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to renew liquor licenses for Dillard's, Pizzeria Uno, Chirco's, Casa Gallardo, Diamond Dave's Taco Company, Kent's Deli, Texaco, The Wedge and Wolf's Service Station and to grant temporary liquor licenses to the Ancient Order of Hibernians and Chesterfield Community Events Corporation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## LEGISLATION

BILL #579 CLARIFIES THE INTENTIONS OF THE CITY OF CHESTERFIELD WITH REGARD TO THE EFFECTIVE DATE FOR THE PROVISION OF SERVICES UPON ANNEXATION OF AN AREA OF LAND EAST OF THE CURRENT BOUNDARY LINES BETWEEN THE CITIES OF CREVE COEUR, TOWN AND COUNTRY AND CHESTERFIELD AS SET OUT IN ORDINANCE #519

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #579. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #579 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #579. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #579 was read for the second time. A roll call vote was taken for passage and approval of Bill #579, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #579 approved, passed it and it became ORDINANCE #576.

**BILL #580 AMENDS ORDINANCE #385 AS TO OFFENSES COVERED WITHIN THE CITY OF CHESTERFIELD AS IT RELATES TO NUISANCES AND THE ENFORCEMENT THEREOF**

A motion was made by Councilmember Politte, seconded by Councilmember Hathaway, for the first reading of Bill #580. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #580 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for a second reading of Bill #580. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #580 was read for the second time. A roll call vote was taken for passage and approval of Bill #580, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #580 approved, passed it and it became ORDINANCE #578.

**BILL #581 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for the first reading of Bill #581. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #581 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #581. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #581 was read for the second time. A roll call vote was taken for passage and approval of Bill #581, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #581 approved, passed it and it became ORDINANCE #580.

**BILL #582 REPEALS ORDINANCE #371 OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Politte, seconded by Councilmember Hathaway, for the first reading of Bill #582. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #582 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for a second reading of Bill #582. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #582 was read for the second time. A roll call vote was taken for passage and approval of Bill #582, with the following results: Ayes - Hathaway, Greenwood, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #582

approved, passed it and it became ORDINANCE #579.

LEGISLATION - PLANNING COMMISSION

BILL #583 AMENDS ST. LOUIS COUNTY ORDINANCE #6,815 AND #10,241 FOR A "C-8" PLANNED COMMERCIAL DISTRICT ON THE SOUTHWEST QUADRANT OF INTERSECTION OF HIGHWAY 40/61 AND I-64, AND CLARKSON ROAD (CHESTERFIELD MALL)

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #583. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #583 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #583. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #583 was read for the second time. A roll call vote was taken for passage and approval of Bill #583, with the following results: Ayes - Hathaway, Clarke, Bute, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared Bill #583 approved, passed it and it became ORDINANCE #577.

ADJOURNMENT

A motion was made by Councilmember Bute, 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 7:45 P.M.

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Mayor Jack Leonard

ATTEST:

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Martha L. DeMay, City Clerk