

## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, JUNE 15, 1992

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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	Councilmember Betty Hathaway
Councilmember Nancy Greenwood	Councilmember Dan Hurt
Councilmember Susan Clarke	
Councilmember Ed Levinson	
Councilmember Alan Politte	
Councilmember Linda Tilley	
Councilmember Dick Hrabko	

The Pledge of Allegiance was led by Mayor Jack Leonard.

Reverend James Capps from Bonhomme Presbyterian led the City Council in prayer.

The minutes of the May 18 1992, and the minutes of the June 1, 1992, meetings were submitted for approval. A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, to approve the minutes. Councilmember Clarke made a motion to amend the minutes, noting that under Bill #688, the wording, "Councilmember Clarke expressed her concern that this ordinance was restrictive to some residents and that parking of a vehicle should be permitted in the front on one's own property" should be under Bill #687. This motion was seconded by Councilmember Greenwood. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed. A voice vote was then taken to approve the minutes, as amended, with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard recognized Chief of Police Ray Johnson and congratulated him on being elected 3rd Vice President of the Missouri Police Chief's Association.

Mayor Jack Leonard next reported that during the Work Session, City Council voted unanimously that the Redistricting Task Force would be comprised of Mr. R. B. Clark, to represent the newly-annexed area. Councilmember Greenwood, Herbert Roberts and Richard Ulrich from Ward I; Councilmember Levinson, Ellen Alper and John Stoller from Ward II; Councilmember Hurt, Donald Ainsworth and Michael Casey from Ward III; and; Councilmember Hrabko, Sue Maddox and Linda Dalton from Ward IV.

Mayor Leonard next reported that, with regard to the Chesterfield Community Development Corporation, he is now asking Councilmembers to submit their nine (9) nominations each, from among all the applications received. This should be completed prior to the July 20th Council meeting.

Mayor Leonard announced that the next meeting of the City Council will be held July 20, 1992.

## COUNCIL COMMITTEE REPORTS

### Planning and Zoning

Councilmember Susan Clarke, serving as Chairperson of the Planning and Zoning Committee, in the absence of Councilmember Betty Hathaway, reported from the May 20, 1992, meeting, that Bill #695 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next made a motion, seconded by Councilmember Hrabko, to receive and file Sachs Properties, Inc. (West County YMCA), P.C. 95-87 request for an amendment of CUP in "R-6A" Residence District. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next reported that a letter was sent to the developers of Brookhill Subdivision, with regard to having them pay St. Louis County for cleaning the mud off Schoettler Road.

Councilmember Clarke next reported from the June 3, 1992, meeting that Bill #'s 696 and 697 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next reported that a proposed policy relative to release of escrow funds for private streets, was being referred to the Public Works/Parks Committee for review and consideration.

Councilmember Clarke next made a motion, seconded by Councilmember Greenwood, to receive and file P.C. 65-88 Montessori Children's House, Inc. request for an amendment of Conditional Use Permit in "NU" Non-Urban District. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next reported that a letter was sent, expressing concern, to the St. Louis County Planning Commission, regarding 65-92 William S. Switzer, a request to allow industrial uses, including a composting facility, restaurant and communication tower on a 5.17 acre tract on the west side of Eatherton Road, north of Centaur Road.

Councilmember Clarke next reported that a meeting between the Planning Commission and City Council was being scheduled. This meeting would allow for general discussion of philosophies by the Planning Commissioners and City Councilmembers.

Councilmember Clarke next reported that two (2) vacation of easements have been received by the City of Chesterfield. A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, to refer these vacation of easement requests to Staff for review. 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 has been scheduled for July 8, 1992 at 5:30 P.M.

#### Public Health and Safety

Councilmember Susan Clarke, Chairperson of the Public Health and Safety Committee, introduced Resolution #115 with regard to the General Orders of the Police Department. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to accept and approve Resolution #115. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next reported that during the Work Session, City Council voted unanimously that all current school zone signs be changed to read "School Speed Limit - 20 MPH - 8AM-4PM - School Days".

Councilmember Clarke next reported that Bill #'s 689, 698, and 700, will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next reported that Bill #686, with regard to solicitation, has been referred to City Attorney Beach for further review and revision.

Councilmember Clarke next reported that the Committee had recommended establishing a Traffic Safety Commission. In the Work Session City Council by a vote of 2-4, defeated the motion to establish a Traffic Safety Commission. Only Councilmembers Clarke and Levinson, Ward II, voted "Aye".

Councilmember Clarke next made a motion, seconded by Councilmember Tilley, for the City to apply for a grant which would fund 75% of the cost for a D.A.R.E. Officer. Councilmember

Greenwood noted that this would create/add a new position in the Police Department, which could have implications for future budgeting, when/if federal funds are no longer available. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next made a motion, seconded by Councilmember Politte, to recommend approval of, transferring from Contingency, an amount, not to exceed \$2,300.00, which will allow Reserve Officers to receive the Hepatitis B Vaccine. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next reported that during the Work Session, City Council had voted unanimously to hold Bill #699, which prohibits the outside burning of materials, and to direct City Attorney Beach to research and revise, if necessary.

Councilmember Clarke announced that the next meeting of the Public Health and Safety Committee has been scheduled for Wednesday, July 8, 1992, 7:30 A.M.

#### Finance and Administration

Councilmember Nancy Greenwood, serving as Chairperson of the Finance and Administration Committee, in the absence of Councilmember Hurt reported that during the Work Session, City Council had voted unanimously to establish a policy that all designated projects, defined by task and scope, be approved and assigned by Council subcommittees for all non-statutory committees and the Finance and Administration Citizens Advisory Committee. This policy would not prohibit a subcommittee from making suggestions for projects and submitting them to the Council Committee to which it is assigned.

Councilmember Greenwood next made a motion, seconded by Councilmember Hrabko, to recommend approval of the ADA job capacity analysis, with regard to the development of new and revised physical proficiency testing, at a cost of \$2,050.00 and that funds be transferred from the city's Contingency Account to cover the cost. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Greenwood next reported that during the Work Session, City Council had voted unanimously to approve/adopt the Comprehensive Annual Financial Report (Annual Audit). City Administrator Herring reported that this report was being submitted to the Government and Finance Officers Association of America for consideration for an award.

Councilmember Greenwood next reported that during the Work Session, City Council had voted unanimously to approve the proposed ad for this year's Chamber of Commerce map at a cost of \$395.00 and that it be charged to the Economic Development budget for this year.

Councilmember Greenwood next reported that during the Work Session, City Council had voted unanimously to hold a public meeting to take public comment/questions about United Video's

performance in general, due to a recent rate increase by United Video. This increase appeared on their statements as a new tax/fee imposed by the City, which it was not. United Video had simply raised their fee. The date of the meeting will be determined at the next Council meeting, July 20, 1992, so that Councilmember Hathaway and Councilmember Hurt will be able to participate in the decision.

Councilmember Greenwood next made a motion, seconded by Councilmember Hrabko, to table the Health Insurance proposal, providing the City can get a thirty (30) day extension on the present PHP plan. A voice vote was taken with an affirmative result (Councilmember Politte abstained) and the motion was declared passed.

Councilmember Greenwood announced that the next meeting of the Finance and Administration Committee has been scheduled for Thursday, July 9, 1992, 5:30 P.M. and its August meeting for Monday, August 3, 1992.

#### Public Works and Parks Committee

Councilmember Dick Hrabko, Chairperson of the Public Works and Parks Committee, reported that the Committee had directed the Staff to work with the State Highway Department re: Highway 340 construction.

Councilmember Hrabko next reported that Councilmember Politte was elected Vice Chairman of the Public Works/Parks Committee.

Councilmember Hrabko next reported that the Committee had voted unanimously to refer the issue of concrete street thickness to the Public Works Citizens Advisory Committee for final evaluation.

Councilmember Hrabko next reported that the Committee had voted unanimously to direct Staff to review sidewalk needs in the immediate area of all elementary and junior high schools. Staff is to prepare a list of locations where isolated sections of walks have been omitted as well as cost estimates to construct these sections.

Councilmember Hrabko next reported that the Committee had voted unanimously to direct City Administrator Herring to write a letter to the State Highway Department asking for permission to erect entrance monuments at the City limits on Route 40/61 and Route 340.

Councilmember Hrabko next reported that the Committee had voted unanimously to direct Staff to prepare an analysis of the City's stormwater drainage policy re: Chesterfield Valley.

Councilmember Hrabko next reported that the Committee had voted unanimously to request Staff to study and prepare a report summarizing the benefits and problems associated with asphalt overlays.

Councilmember Hrabko next reported on the Recreation Activities Coordinator. Mrs. Linda Hosack has been appointed to this position.

Councilmember Hrabko next made a motion, seconded by Councilmember Greenwood, to accept Forest Lake Tennis Club's proposal for tennis lessons and that the City's share of the profits be passed on as a reduction in rates for Chesterfield residents. Councilmember Politte requested that the motion be amended to allow the City to collect the 20% of registration fees, which would then be used to help fund recreation events. After some discussion, Mayor Leonard called for a second to the motion, no second was made, therefore, no vote was taken for the amendment. A voice vote was then taken to approve Councilmember Hrabko's motion, with a unanimous affirmative result and the motion was declared passed.

Councilmember Hrabko next reported that the Committee had voted unanimously to accept a proposal for a one-time City-wide street sweeping service.

Councilmember Hrabko announced that the next meeting would be held on Monday, July 6, 1992, at 5:30 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Herring reported that the Government Center will be closed on Friday, July 3, 1992, in observance of Independence Day.

City Administrator Herring next reported that bids were recently sought for a selective slab replacement program within the annexed area. The low bid was submitted by Concrete Design, totaling \$198,821.07. Mr. Herring joined with Finance Director Jan Hawn and Director of Public Works/City Engineer Bill Hawn in recommending that the bid submitted by Concrete Design for selective slab replacement be accepted. A motion was made by Councilmember Levinson, seconded by Councilmember Greenwood, to award the bid to Concrete Design. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring next reported on a variety of liquor license requests, all of which were approved by Police Chief Ray Johnson and Director of Planning Jerry Duepner:

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on the premise where sold and Sunday sales, (fee \$700) to:

Blayney's Airport Restaurant, Inc.

A voice vote was taken with a unanimous affirmative result and the motion was declared passed. (Councilmember Hrabko abstained.)

A motion was made by Councilmember Tilley, seconded by Councilmember Hrabko, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for

consumption on the premise where sold and Sunday sales, (fee \$700) to:

Karagiannis Invest Corp., D.B.A. Spiro's West  
M.R.J.M. Inc., D.B.A. Michael's of Del Pietro's  
PJ's Bar and Grill  
Yen Ching Restaurant

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on the premise where sold, (fee \$450) to:

First National Drink, Olive Branch  
Marriott Management Services Corp.  
Sanfred Limited - Gianfabio's  
Salina's Mexican Restaurant

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on the premise where sold, (fee \$450) to:

Orville & Wilbur's Restaurant/Bar.

A voice vote was taken with a unanimous affirmative result and the motion was declared passed. (Councilmember Hrabko abstained.)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for the retail sale of all kinds of intoxicating liquor in original packages, not to be consumed on the premise where sold, (fee \$150) to:

Chesterfield Shell  
Hi Ho Helium, Inc.  
Mathews Market

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, to approve issuance of a license for the the retail sale of malt liquor (beer only) in excess of 3.2% by weight and not in excess of 5% by weight in the original packages, not to be consumed on premise where sold,

(fee \$22.50) to:

Gumbo Enterprises, D.B.A. Wolf's Service Station  
Mobil Mart  
Riverbend 66  
Wildwood 66

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on premise where sold for a special event, (fee \$10) to:

American Barbecue & Grill #3, Inc.  
(Concert-in-the-Park series)  
St. Louis Stuttgart Sister City Committee, Inc.  
(Concert-in-the-Park series)

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hrabko, seconded by Councilmember Tilley, to approve issuance of a license for the retail sale of all kinds of intoxicating liquor by the drink for consumption on the premise where sold and Sunday sales, (no fee) (501C Corporation) to:

Chesterfield Community Association

A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported the Chesterfield Citizen newsletter will be distributed to all the residents and businesses in our community by mid-July.

## LEGISLATION

### BILL #691 AMENDS ORDINANCE 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #691. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #691 was read for the second time. A roll call vote was taken for passage and approval of Bill #691, with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #691 approved, passed it and it became ORDINANCE #683.

**BILL #692 ESTABLISHES ATTENDANCE REQUIREMENTS FOR BOARDS AND COMMITTEES OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, for a second reading of Bill #692. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #692 was read for the second time. A roll call vote was taken for passage and approval of Bill #692, with the following results: Ayes -Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #692 approved, passed it and it became ORDINANCE #684.

**BILL #694 AMENDS ORDINANCE 217, OF THE CITY OF CHESTERFIELD, TO REVISE THE SALARY ADMINISTRATION MANUAL BY DELETING SECTION 5 OF CHAPTER VI WITH A NEW SECTION 5 OF CHAPTER VI**

A motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, for a second reading of Bill #694. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #694 was read for the second time. A roll call vote was taken for passage and approval of Bill #694, with the following results: Ayes -Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #694 approved, passed it and it became ORDINANCE #685.

**BILL #689 AMENDS ORDINANCE 35, SCHEDULE XII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO**

A motion was made by Councilmember Clarke, seconded by Councilmember Tilley, for the first reading of Bill #689. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #689 was read for the first time.

**BILL #698 REGULATES THE STEEL TRAPPING OF FURBEARING ANIMALS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #698. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #698 was read for the first time.

**BILL #700 AMENDS CHAPTER 13, SECTION 13-22, OF THE CODE OF THE CITY OF CHESTERFIELD AS IT RELATES TO THE MANUFACTURE, SALE**

AND SHIPMENT OF FIREWORKS WITHIN THE CORPORATE  
LIMITS OF CHESTERFIELD

A motion was made by Councilmember Hrabko, 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 Clarke, seconded by Councilmember Levinson, for the first reading of Bill #700. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #700 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, to make an amendment to Bill #700, that in Section 13-22, letter C, delete the word Council after "City" and add the word "Administrator". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hrabko, seconded by Councilmember Clarke, for a second reading of Bill #700, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #700 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill #700, with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #670 approved as amended, passed it and it became ORDINANCE #670.

LEGISLATION - PLANNING COMMISSION

BILL #695 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY  
AMENDING SECTION 1003.151 "M-1" INDUSTRIAL DISTRICT AND  
1003.153 "M-2" INDUSTRIAL DISTRICT REGULATIONS OF THE  
CITY OF CHESTERFIELD. (P.Z. 5-92, CITY OF CHESTERFIELD  
PLANNING COMMISSION)

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for the first reading of Bill #695. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #695 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a second reading of Bill #695. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #695 was read for the second time. A roll call vote was taken for passage and approval of Bill #700, with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #695 approved as amended, passed it and it became ORDINANCE #687.

BILL #696 AMENDS SECTION 2 OF THE CITY OF CHESTERFIELD ORDINANCE 242, WHICH AMENDED CITY OF CHESTERFIELD ORDINANCE 237, RELATING TO P.C. 17 AND 19 MICELI DEVELOPMENT COMPANY AND P.C. 25-88 STONERIAR DEVELOPMENT COMPANY, TO ALLOW FOR EMERGENCY ACCESS IN THE SOUTHEAST CORNER OF STONEBRIAR SUBDIVISION (P.C. 17 & 18 - 88 MICELI DEVELOPMENT COMPANY AND P.C. 25-88 STONEBRIAR DEVELOPMENT COMPANY)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #696. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #696 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #696. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #696 was read for the second time. A roll call vote was taken for passage and approval of Bill #696, with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #696 approved as amended, passed it and it became ORDINANCE #688.

BILL #697 AMENDS ST. LOUIS COUNTY ORDINANCE 13,306 RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE NORTHEAST CORNER OF CLARKSON AND BAXTER ROADS. (P.C. 88-86 LEO EISENBERG AND P.Z. 7-92 DIERBERG'S CHESTERFIELD VILLAGE, INC.) TO ALLOW FOR AN ANIMAL HOSPITAL/VETERINARY CLINIC

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for the first reading of Bill #697. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #697 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #697. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #697 was read for the second time. A roll call vote was taken for passage and approval of Bill #697, with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #697 approved as amended, passed it and it became ORDINANCE #689.

#### ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, that the meeting be adjourned, Council return to the Work Session, finish the agenda, and then go into

Executive Session, for the purpose of discussing litigation. A roll call vote was taken with the following results: Ayes - Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared that the meeting was adjourned, Council would return to the Work Session and then go into Executive Session. The meeting was adjourned at 8:05 P.M.

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

ATTEST:

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Lynne Greene, Deputy City Clerk