

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY ON JUNE 19, 1989

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

A roll call was taken with the following results:

PRESENT

Mayor Fred Steinbach
Councilmember Betty Hathaway
Councilmember Barry Flachsbart
Councilmember June Schroeder
Councilmember Jade Gardner Bute
Councilmember Dan Hurt
Councilmember Doug Hartman
Councilmember Dick Hrabko
Councilmember Charlie Fawcett

ABSENT

None

The Pledge of Allegiance was led by Girl Scout Troop 2143 from Shenandoah Valley School: Katherine Hall, Jessica Stillwell, Jennifer Czar, Melinda Williams, Leah Reiter, Michelle Newman, Tori Stobbe, Anna Marx, Reva Rosen, Jennifer Waters, Stacy Sapot, Poja Kapadia, Sarah Roberts and Nichole Smith. Also in attendance was the Troop Leader Anna Marie Stillwell.

The Reverend Joseph Pins from Ascension Roman Catholic Church led the City Council in prayer.

APPROVAL OF THE MINUTES

The minutes of the June 5, 1989, meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hurt, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

INTRODUCTORY REMARKS - MAYOR FRED STEINBACH

Mayor Steinbach presented Certificates of Appointment to all the citizens who volunteer to serve on the various City of Chesterfield Boards, Commissions, Committees, Councils and Task Forces.

COUNCIL COMMITTEE REPORTS

Planning and Economic Development

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, stated that Bil #'s 309, 318, 319, 320, 321 and 322 are all scheduled for consideration later on under the Legislation - Planning Commission portion of the agenda. Bill #309 will be considered under the Legislation portion of the agenda.

Councilmember Hrabko reported that discussion had previously occurred regarding the need for a "Stub Street" ordinance. Mr. Hrabko stated that legislation is already in place that addresses this issue. This requirement is contained as a part of the subdivision ordinance.

Councilmember Hrabko next reported that the next meeting of the Planning and Economic Development Committee will be held on June 21, 1989, at 5:30 P.M.

Finance and Administration

Councilmember Hartman, Chairperson of the Finance and Administration Committee, reported that his Committee has finalized recommendations regarding a computer system for the City, as well as recommendations regarding the Retirement Plan for Employees. These are scheduled for detailed discussion under the Report of the City Administrator.

Following a brief discussion by Councilmember Hartman, a motion was made by Councilmember Hathaway, seconded Councilmember Bute, to accept the FY 1988 Audit conducted by Peat Marwick. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hartman next reported that Bill #'s 312, 313 and 314 are scheduled for consideration under the Legislation portion of the agenda. He stated that his Committee recommended adoption for these proposed ordinances.

Councilmember Hartman announced the next meeting of the Finance and Administration Committee will be held on June 27, 1989, at 5:30 P.M.

Public Works and Parks

Councilmember Bute, Chairperson of the Public Works and Parks Committee, reported that Bill #304 has been scheduled for consideration under the Legislation portion of the agenda. Adoption of this proposed ordinance is recommended by her Committee.

Councilmember Bute reported that a Public Hearing will be held on Wednesday, June 21, 1989,

at 7:00 P.M. J.T. Yarnell, District Engineer, Missouri Department of Highways and Transportation and Richard Daykin, Director, St. Louis County Department of Highways and Traffic, will present the various projects scheduled for completion within the next several years within Chesterfield.

Councilmember Bute announced details regarding the tree trimming program the City of Chesterfield has recently established through the Public Works Department.

Councilmember Bute stated the next meeting of the Public Works and Parks Committee will be held on Thursday, June 22, 1989, at 5:15 P.M.

Public Health and Safety

Councilmember Flachsbart, Chairperson of the Public Health and Safety Committee, stated that he and his Committee wished to commend the Chesterfield Police Department for their high visibility patrols through the neighborhoods of Chesterfield.

Councilmember Flachsbart next reported on the continuing progress being made in acquainting the citizens with the Police Department through the "Operation: Getting' to Know You" program.

Councilmember Flachsbart stated that Bill #'s 308, 315, 316, and 317 and Resolution #62 are scheduled for consideration under the Legislation portion of the agenda and that each is recommended for adoption by the Committee.

Councilmember Flachsbart recognized and expressed his appreciation to Mr. Peter Lowell, Assistant Director of Corporate Security, for the Monsanto Fund donation of \$13,228.00 to the Police Department. Chief of Police Ray Johnson has designated these funds to be used for the purchase of bullet-proof vests for the Police Department. A formal presentation of this donation by Mr. Robert Burke, Director of Corporate Security, to Chief of police Ray Johnson will be held in a ceremony scheduled for Tuesday, June 27, 1989, at 2:45 P.M. at Police headquarters, 184 Chesterfield Industrial Drive.

Councilmember Flachsbart announced that the Older Residents Needs sub-committee of the Citizens Interaction Committee has established a volunteer senior affairs coordinator who will conduct business from an office in the Government Center on Wednesdays from 9:00 A.M. to 1:00 P.M.

Councilmember Flachsbart next announced the next meeting of the Public Health and Safety Committee will be held on Wednesday, June 28, 1989, at 5:45 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Herring announced that four (4) bids were received ranging from a low of \$93,063.00 from MicroAge to a high of \$122,312.00 from Business Forms Management. After

having been reviewed, the low bid was eliminated by Mr. Dean Nebrig of Ungermann-Bass and Finance Director Jan Kluba due to the fact that MicroAge did not meet bid specifications. The second lowest bid fact the MicroAge did not meet bid specifications. The second lowest bid submitted by Businessland for a total cost of \$110,814.51 has been recommended to City Council for acceptance as well as a software package from Micro Arizala Systems, Inc. for a cost of \$14,290.00. Mr. Herring further proposed that the purchase of this entire package be financed through Gelco Corporation, with the cost for FY 1989 totaling \$75,391.79, FY 1990 totaling \$42,730.56 and FY 1991 totaling \$21,365.28, with \$8,000 of this total being for wiring and \$6,383.12 of the total being for interest. A motion was made by Councilmember Hartman, seconded by Councilmember Bute to accept the proposals submitted by Businessland for the hardware and software at a cost of \$110,814.51 and the software package from Micro Arizala Systems, Inc. for a cost of \$14,290.00. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Following a brief presentation by Mr. Herring, a motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to accept the recommendation from Compensation Management that the firm of Manulife be selected to provide investment and administrative services for the establishment of the City of Chesterfield retirement program for all employees. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next informed City Council that CDBG funds previously established for partial payment of the cost to prepare the City's Comprehensive Plan could not now be used for that purpose. With this in mind, a motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to transfer Community Development Block Grant Funds of \$14,740.00 from the allocation to supplement the funding of the Comprehensive Plan to the account for the removal of architectural barriers. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hurt, seconded by Councilmember Schroeder, to approve liquor licenses for the businesses which had been reviewed and approved by Chief of Police Ray Johnson and Director of Planning and Economic Development Jerry Duepner and subsequently submitted to City Council. This motion did not include the Eleven Mile House or Chicken Supreme, who had not yet submitted the appropriate paperwork and fees to be considered at this time. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL #304 CREATES THE PUBLIC WORKS BOARD OF VARIANCE

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for the first reading of Bill #304. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #304 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hurt, for a second reading of Bill #304. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. A roll call vote was taken for passage and approval of Bill #304, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #304 approved, passed it and it became ORDINANCE #306.

BILL #308 AMENDS ORDINANCE #35, SCHEDULE IV OF THE ORDINANCES OF THE CITY OF CHESTERFIELD TO DELETE PROVISIONS THEREFROM

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hrabko, for a second reading of Bill #308. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #308, with the following results: Ayes - Hathaway, Flachsbart, Hurt, Hartman, Hrabko and Fawcett. Nays - Schroeder, and Bute. Whereupon Mayor Steinbach declared the Bill #308 approved, passed it and it became ORDINANCE #307.

RESOLUTION #62 PERTAINS TO TRAFFIC CONTROL RESTRICTIONS

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, to approved Resolution #62. A voice vote was taken with a 7 - 1 (Councilmember Schroeder voting no) result and the motion was declared passed. Resolution 362 was approved and adopted by City Council.

BILL #309 RESTRICTS THE LOCATION AND DURATION OF THE USE OF POLITICAL SIGNS DURING POLITICAL CAMPAIGNS

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, to amend Section 1 of Bill #309 by deleting "which shall require that any one (1) sign shall be eight (8) square feet with a total area of sixteen (16) square feet". 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 Bute, for the first reading of Bill #309. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #309 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Hrabko, to amend Section 1 to read five (5) days and Section 2 to read eighteen (18) days. A voice vote was taken with a 3 - 5 (Councilmembers Hurt, Hrabko and Fawcett voting in favor) result and the motion was declared defeated.

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for a second reading of Bill #309. A voice vote was taken with a unanimous affirmative result and the motion as amended was declared passed. A roll call vote was taken for passage and approval of Bill #309, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hartman, Hrabko and Fawcett. Nays - Hurt. Whereupon Mayor Steinbach declared the Bill #309 approved, passed it and it became ORDINANCE #308.

BILL #312 AMENDS ORDINANCE #217 OF THE CITY OF CHESTERFIELD BY DELETING SECTIONS 5 (A) THROUGH 5 9I) OF EXHIBIT B OF THE SALARY ADMINISTRATION MANUAL AND SUBSTITUTING IN LIEU THEREOF A NEW SECTIONS 5(A) THROUGH 5(K) OF EXHIBIT B OF THE SALARY ADMINISTRATION MANUAL, EFFECTIVE WHEN:

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #312. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #312 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Flachsbart for a second reading of Bill #312. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #312, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - none. Whereupon Mayor Steinbach declared the Bill #312 approved, passed it and it became ORDINANCE #309.

BILL #313 AMENDS ORDINANCE #89 RELATING TO BUSINESS LICENSES BY CHANGING THE EXPIRATION DATE OF ALL CURRENT AND FUTURE BUSINESS LICENSES

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for the first reading of Bill #313. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #313 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hartman for a second reading of Bill #313. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #313, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #313 approved, passed it and it became ORDINANCE #310.

BILL #314 AMENDS ORDINANCE #90 RELATING TO COIN OPERATED VENDING MACHINES BY CHANGING THE EXPIRATION DATE OF ALL CURRENT AND FUTURE VENDING LICENSES

A motion was made by Councilmember Hartman, seconded by Councilmember Hrabko, for the first reading of Bill #314. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #314 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Flachsbart for a second reading of Bill #314. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #314, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #314 approved, passed it and it became ORDINANCE #311.

BILL #315 REPEALS ORDINANCE #192 IN PART AS TO OFFENSES COVERED UNDER THIS ORDINANCE RELATING TO NUISANCES AND ENFORCEMENT THEREOF

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #315. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #315 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Flachsbart for a second reading of Bill #315. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #315, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #315 approved, passed it and it became ORDINANCE #312.

BILL #316 PROHIBITS DISMANTLED, WRECKED, DILAPIDATED, ABANDONED OR NON-OPERATIVE MOTOR VEHICLES OR PARTS THEREOF ON PRIVATE PROPERTY EXCEPT AS AUTHORIZED BY CHESTERFIELD CITY ORDINANCE

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #316. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #316 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute for a second reading of Bill #316. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #316, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #316 approved, passed it and it became ORDINANCE #313.

BILL #317 PROHIBITS THE SALE OF MOTOR VEHICLES ON PRIVATE OR COMMERCIAL PARKING LOTS WHERE NOT AUTHORIZED BY CHESTERFIELD CITY ORDINANCE

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #317. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #317 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute for a second reading of Bill #317. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #317, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #317 approved, passed it and it became ORDINANCE #314.

LEGISLATION - PLANNING COMMISSION

**BILL #318 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR LOTS 2 AND 3
OF BALLWIN ACRES, CREATING AN ADJUSTED LOT 2A**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #318. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #318 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute for a second reading of Bill #318. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #318, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #318 approved, passed it and it became ORDINANCE #315.

**BILL #319 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT AND ESCROW
AGREEMENT FOR THE SYCAMORE PLACE SUBDIVISION, PLAT II**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #319. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #319 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute for a second reading of Bill #319. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #319, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #319 approved, passed it and it became ORDINANCE #316.

**BILL #320 APPROVES THE BOUNDARY ADJUSTMENT PLAT FOR PARKWAY
OFFICE CENTER**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #320. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #320 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt for a second reading of Bill #320. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #320, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #320 approved, passed it and it became ORDINANCE #317.

**BILL #321 AMENDS THE ST. LOUIS COUNTY ZONING ORDINANCE NUMBER
13,903 ALLOWING FOR TWO (2) RESTAURANTS WITHIN THE "C-8"
DISTRICT**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #321. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #321 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #321. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #321, with the following results: Ayes - Hartman, Hrabko and Fawcett. Nays - Hathaway, Flachsbart, Schroeder Bute, Hurt. Whereupon Mayor Steinbach declared the Bill#321 DEFEATED.

BILL #322 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARY OF A 13 TRACT OF LAND TO "C-8" PLANNED COMMERCIAL DISTRICT FROM "NU" NON-URBAN DISTRICT FOR A TRACT OF LAND ALONG THE SOUTH SIDE OF OLIVE STREET BOULEVARD AT THE INTERSECTION OF WHITE ROAD (P.Z. 6-89, CHESTERFIELD DEVELOPMENT CORPORATION)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #322. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #322 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember, for a second reading of Bill #322. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A roll call vote was taken for passage and approval of Bill #322, with the following results: Ayes - None. Nays - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Whereupon Mayor Steinbach declared the Bill #322 DEFEATED.

COMMUNICATIONS AND PETITIONS

Mr. Jerry Regier, who resides at 1841 Schoettler Valley Drive, and Mr. Terril Cook, who resides at 1823 Schoettler Valley Drie, a Trustee in Bridle Creek Subdivision, spoke in opposition of Bill #308.

Councilmember Hurt announced that he had petitions from residents in Scarborough Subdivision located in Ward III who are in favor of Bill #308.

Councilmember Hrabko stated that he and Councilmember Fawcett had received many calls from constituents in Ward IV in favor of Bill #308.

Councilmember Hathaway reported that streets, such as those in question, must remain open during these construction periods and that perhaps other means might be developed to insure safety in the neighborhoods.

Councilmember Flachsbart stated that, as Chairperson of the Public Health and Safety Committee, he felt, that supporting Resolution #62 and Bill #308, was the fairest solution to all residents of the City.

Councilmember Bute commended the Public Health and Safety Committee for trying to resolve this situation and the Police Department for their attentiveness to this area.

ADJOURNMENT

A motion was made by Councilmember Schroeder, seconded by Councilmember Hurt, 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 8:50 P.M.

Mayor Frederic Steinbach

ATTEST:

City Clerk