



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 16052 SWINGLEY RIDGE ROAD
June 21, 1999

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Nancy Greenwood
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Larry Grosser
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Linda Tilley
Councilmember Mary K. Brown

None

Mayor Nancy Greenwood led those in attendance in the Pledge of Allegiance.

Mayor Greenwood led those in attendance in a moment of silent prayer.

APPROVAL OF MINUTES

The minutes of the May 17, 1999, City Council meeting were submitted for approval. Councilmember Grosser made a motion to approve the City Council minutes. Councilmember Durrell seconded the motion. A voice vote was taken with an affirmative result (Councilmember Flachsbart “Abstained”) and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nancy Greenwood announced that the Government Center would be closed on Monday, July 5 in observance of Independence Day.

Mayor Greenwood next announced that the dedication of the “Maura” sculpture has been scheduled for Saturday, June 26 at 10 a.m.

Mayor Greenwood next commended City Administrator Mike Herring and his Staff for their excellent job in creating the 1998 Annual Report.

Mayor Greenwood next announced the TLC (Together for Life in Chesterfield) schedule. These CPR classes are sponsored by the Chesterfield Fire Protection District, BJC, the Jewish Community Center, United Hebrew Congregation, YMCA, Chesterfield Chamber of Commerce and the City of Chesterfield.

Mayor Greenwood next introduced and welcomed Christina Hammers, Director of Marketing and Communication for the Chesterfield Community Development Corporation.

COMMUNICATIONS AND PETITIONS

Sharyl Thau, who resides at 18219 Hager Lane, expressed her support for funding of the barrier to be constructed on the berm at Chesterfield Elementary School.

Norma Lochman, who resides at 10 Rimbe Court, commented on interactions with a few of the elected and appointed officials and City personnel.

Michael Prywitch, who resides at 817 Wellesley Place Drive, expressed his concern with the problems occurring from the businesses in Hilltown Village.

Randee Schmittiel, who resides in Wellesley Place Subdivision, expressed concern with the problems occurring from the businesses in Hilltown Village and the need for additional landscaping from the developer.

Michael Towerman, who resides at 17329 Countryside Manor Parkway, expressed concern with the dangerous intersection of Wild Horse Creek Road and Kehrs Mill Road. This matter was referred to the Public Health and Safety Committee.

Ted Allison, who resides at 2126 Chesterfield Place, expressed support for the City of Chesterfield to pursue the possibility of becoming a Charter city.

Bob Wald, Chairperson of the Parks, Recreation and Arts Citizens Advisory Committee, expressed issues discussed by the Committee regarding the next phase of park development.

APPOINTMENTS

Mayor Greenwood placed the name of David Banks in nomination as a member of the

Planning Commission. Councilmember Hurt made a motion, seconded by Councilmember Casey, to approve the nomination of Mr. Banks to the Planning Commission. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Banks' term will expire June 2, 2003.

Mayor Greenwood next placed the name of Douglas Elliott in nomination as a member of the Board of Directors for the Chesterfield Community Development Corporation. Councilmember Brown made a motion, seconded by Councilmember Tilley, to approve the nomination of Mr. Elliott to the Board of Directors for the Chesterfield Community Development Corporation. A voice vote was taken with a unanimous result and the motion was declared passed. Mr. Elliott's term will expire July 20, 2002.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Flachsbart, Chairperson of the Public Works/Parks Committee, reported that the Chesterfield Arts Commission requested that the City of Chesterfield fund construction and placement of the granite base for the "Maura" sculpture at the Central City Park. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to fund the base and placement, in an amount not to exceed \$5,000, for the "Maura" sculpture, with funds coming from the Contingency account. A voice vote was taken with an affirmative result (Councilmember Streeter voted "No") and the motion was declared passed.

Councilmember Flachsbart next made a motion, which was seconded by Councilmember Grosser, to establish a cost-sharing program with Parkway School District, for use in upgrading/constructing new playgrounds at various elementary schools, located within the City of Chesterfield. The motion was to include \$50,000 in the FY2000 Budget for the City of Chesterfield, to be matched with a similar expenditure by the Parkway School District. The first schools where new playgrounds would be established would be River Bend Elementary and Green Trails Elementary, in Ward I. Plans for these improvements will be reviewed/approved by the Public Works/Parks Committee of Council and the Parkway School District. Under this proposal, the cost of upgrading or constructing new playground areas and/or landscaping would be shared 50/50 by the City and Parkway. Parkway will have exclusive use of the playground/park areas during normal school hours and Parkway will be solely responsible for all upkeep and maintenance of the playgrounds/parks. Any future upgrades/replacements of equipment will be cost-shared 50/50, subject to the availability of future dollars. Finally, the motion included direction to Staff to include \$50,000 per year in each of the future years of the 5-year budget, to enable this program to continue in subsequent years, following FY 2000. A roll call vote was taken with the following results: Ayes - Casey, Grosser, Streeter, Durrell, Brown, Flachsbart, Hurt and Casey. Nays - None. The motion was declared passed.

Councilmember Flachsbart next reported that the Parkway School District is proposing that

the City of Chesterfield split the cost of developing a park, similar to the park at Chesterfield Elementary School, at the River Bend Elementary School and the Green Trails Elementary School. The Committee voted unanimously to recommend that City Council cost share parks construction, in an amount not to exceed \$50,000, for one school per year, beginning with the FY2000 budget. In addition, City staff would work with the Parkway School District to prepare the plans, which would ultimately be reviewed/approved by the Committee. Councilmember Flachsbart made a motion, seconded by Councilmember Grosser, to cost share parks construction at the Green Trails Elementary School in cooperation with the Parkway School District, in an amount not to exceed \$50,000 and that \$50,000 for parks construction at the River Bend Elementary School be included in the Five Year Budget Plan for the FY2000 budget. A roll call vote was taken with the following results: Ayes – Casey, Grosser, Streeter, Durrell, Brown, Flachsbart, Hurt and Tilley. Nays – None. The motion was declared passed.

Councilmember Flachsbart next reported that the Committee voted unanimously to recommend that City Council approve fees and procedures for use of the new Central City Park Pavilion. Councilmember Flachsbart made a motion, seconded by Councilmember Grosser, to recommend adopting the proposed fees policy for the Central City Park Pavilion. A voice vote was taken with a unanimous result and the motion was declared passed.

Councilmember Flachsbart next reported that the Rockwood School District is proposing to split the cost with the City of Chesterfield to install a wooden barrier on the berm at the Chesterfield Elementary park site, parallel to Wild Horse Creek Road, to further protect children from traffic. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to approve the installation of a wooden barrier at the Chesterfield Elementary School, in a 50/50 cost share project with the Rockwood School District and transfer \$7,500 from Contingency Fund for this use. A roll call vote was taken with the following results: Ayes – Brown, Durrell, Flachsbart, Hurt, Tilley, Casey, Grosser. Nays – Streeter. The motion was declared passed. Councilmember Streeter stated that while he was not opposed to the project, he was opposed from removing \$7,500 from Contingency Fund at this time for this project and would have preferred that this line item be placed in the FY2000 budget.

Councilmember Flachsbart next reported that City Attorney Doug Beach and City Staff recommend that City Council approve acceptance of the transfer of a 120 ft. buffer strip between Conway Road and Timberlake Manor Parkway. The strip was originally established to be left in an undisturbed condition and, therefore, the developer suggests that the land be deeded to the City. Councilmember Flachsbart made a motion, seconded by Councilmember Casey, to accept the property deed transfer of the buffer strip between Conway Road and Timberlake Manor Parkway. It was noted for the record by Councilmember Streeter that there is no intention on the part of City Council to provide for a cut-through in the future and that this strip of land must be left as greenspace. A roll call vote was taken with the following results: Ayes – Streeter, Hurt, Casey, Tilley, Flachsbart, Grosser, Brown, Durrell. Nays – None. The motion was declared passed.

Councilmember Flachsbart next reported as information that St. Louis County has offered to cost share the construction of a sidewalk along Schoettler Road to create a continuous

sidewalk between the Westerly subdivision and Scarborough West subdivision. No additional funding or appropriations are required because the 1999 budget provides adequate funds for the construction.

Councilmember Flachsbart next reported that in conjunction with the installation of the stormwater pump stations in Chesterfield Valley, FEMA requires that the Pump Operations and Maintenance Plan be formally adopted by City Council. Councilmember Flachsbart made a motion, seconded by Councilmember Streeter, to adopt the Pump Operations and Maintenance Plan. A voice vote was taken with a unanimous result and the motion was declared passed.

Councilmember Flachsbart next reported that Mayor Greenwood has requested that the City display Chesterfield artifacts in the chambers during the month of September. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, to support Mayor Greenwood's desire to display the Chesterfield artifacts at the Government Center. A voice vote was taken with a unanimous result and the motion was declared passed.

Councilmember Flachsbart next reported that Bill No. 1689, which restricts smoking in City parks, will be read for the first time under the Legislation portion of the agenda.

Councilmember Flachsbart announced that the next meeting of this Committee has been scheduled for July 28 at 5:30 p.m.

Finance and Administration Committee

Councilmember Barry Streeter, Chairperson of the Finance and Administration Committee, reported that Bill No. 1685, which authorizes a change to the Retirement Plan regarding the election of trustees, will be read for the first time under the Legislation portion of the agenda.

Public Health and Safety Committee

Councilmember Mike Casey, Chairperson of the Public Health and Safety Committee, reported that Bill No. 1685, which regulates and restricts the use of bows and arrows and Bill Nos. 1683 and 1684, which regulates and restricts parking along Wellington Estates Drive and Wellington Manor Drive respectively, will be read for the first time under the Legislation portion of the agenda.

Planning and Zoning Committee

Councilmember Mary Brown, Chairperson of the Planning and Zoning Committee, reported that Bill No. 1687, which relates to P.Z. 4-1999 amending the City of Chesterfield Zoning Ordinance pertaining to "SR" – Senior Residence District, Bill No. 1688, which approves a change to permit a location of a free standing sign for P.Z. 13-96, A & O Investments, Ltd. and Bill No. 1690, which approves a record plat et al for Brookhaven Place, will be considered for adoption under the Legislation – Planning Commission portion of the agenda.

Councilmember Brown next reported that the City has a need to recover expenses when

requiring an independent review of a traffic study and also for a City Transportation Plan and model. The Committee voted unanimously to recommend that City Council approve Resolution No. 253, which authorizes the City to require traffic studies. Councilmember Brown made a motion, seconded by Councilmember Tilley, to adopt Resolution No. 253, which authorizes the City of Chesterfield to require traffic studies. A roll call vote was taken with the following results: Ayes – Tilley, Brown, Streeter, Durrell, Hurt, Grosser, Casey and Flachsbart. Nays – None. Resolution No. 253 was approved as submitted.

Councilmember Brown next reported that the next meeting of this Committee has been scheduled for June 24 at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought for the purchase of 14 soccer goals, to be used at the Chesterfield Athletic Complex. Having reviewed the information provided by Director of Public Works/City Engineer Mike Geisel, he joined with him in recommending acceptance of the bid submitted by ABCreative, Inc., at a purchase price of \$15,806. Mr. Herring noted that sufficient funds exist within the FY 1999 Budget to cover this expense. Councilmember Tilley made a motion, seconded by Councilmember Brown, to accept the bid submitted by ABCreative, Inc., at a purchase price of \$15,806, for 14 soccer goals at the Chesterfield Athletic Complex. A voice vote was taken with a unanimous result and the motion was declared passed.

Mr. Herring next reported that the City of Chesterfield needs a mechanism by which the City of Chesterfield could reimburse itself for expenses incurred with regard to the acquisition of land and construction of a Government Center, if/when a decision is made to finance all or part of this total cost. It is important that this action be taken before “major” expenditures are made by the City of Chesterfield, with regard to this project. Passage of Resolution No. 254 would enable the City to accomplish this. This resolution in **NO WAY** obligates the City to seek such reimbursements nor does it obligate the City to seek any sort of financing mechanism, nor does it obligate the City as to the amount of financing ultimately sought to cover the cost of property acquisition and construction of a Government Center. Councilmember Hurt made a motion, seconded by Councilmember Streeter, to adopt Resolution No. 254. A voice vote was taken with a unanimous result and the motion was declared passed. Resolution No. 254 was approved, as submitted.

Mr. Herring next reported that the proposed contract for architectural and engineering services for the new Government Center has been held.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1682 ESTABLISHES RULES AND REGULATIONS REGARDING THE
DISCHARGE OF FIREARMS OR PROJECTILE WEAPONS

WITHIN THE CITY LIMITS OF THE CITY OF CHESTERFIELD
AND REPEALS ORDINANCE NO. 562 (**FIRST READING -
PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS
APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for the first reading of Bill No.1682. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1682 was read for the first time.

BILL NO. 1683 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON WELLINGTON ESTATES DRIVE (**FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1683. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1683 was read for the first time.

BILL NO. 1684 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO RESTRICT PARKING ON WELLINGTON MANOR (**FIRST READING - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Tilley, for the first reading of Bill No. 1684. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1684 was read for the first time.

BILL NO. 1685 AMENDS ORDINANCE NO. 809 OF THE CITY OF CHESTERFIELD RETIREMENT PLAN SUMMARY PLAN DESCRIPTION BY DELETING CHAPTER II (4) OF “EXHIBIT B” AND SUBSTITUTING, IN LIEU THEREOF, A NEW CHAPTER II (4) OF “EXHIBIT B” AS REQUESTED IN THE ATTACHED EXHIBIT I TO THIS ORDINANCE (**FIRST READING – FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL**)

Councilmember Streeter made a motion, seconded by Councilmember Grosser, for the first reading of Bill No.1685. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1685 was read for the first time.

BILL NO. 1689 AMENDS THE CITY OF CHESTERFIELD ORDINANCE NO. 1144 SECTION 21-107, RELATING TO THE LIMITATIONS TO SMOKING IN PUBLIC PLACES (**FIRST READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

Councilmember Flachsbart made a motion, seconded by Councilmember Grosser, for the first reading of Bill No. 1689. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1689 was read for the first time.

LEGISLATION – PLANNING COMMISSION

BILL NO. 1687 ADDS CHANGES AND DELETES VARIOUS SECTIONS OF THE ZONING ORDINANCE (P.Z. 4-1999, CITY OF CHESTERFIELD) (**FIRST AND SECOND READINGS** - PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1687. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1687 was read for the first time.

Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to delete Section 1003.130 from Bill No. 1687 for further review by the Planning and Zoning Committee. A voice vote was taken with a unanimous result and the motion was declared passed. Councilmember Brown made a motion, seconded by Councilmember Flachsbart, for a second reading of Bill No. 1687, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1687 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1687, with the following results: Ayes – Casey, Durrell, Flachsbart, Hurt, Streeter, Tilley, Brown, Grosser. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1687 approved, passed it and it became **ORDINANCE NO. 1524**.

BILL NO. 1688 AMENDS CITY OF CHESTERFIELD ORDINANCE NO. 1207 FOR A NEW AMENDED ORDINANCE RELATING TO A “C-8” PLANNED COMMERCIAL DISTRICT FOR A 2.9 ACRE TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF CHESTERFIELD PARKWAY EAST AND CONWAY ROAD (P.Z. 13-96, A & O INVESTMENTS, LTD.) (**FIRST AND SECOND READINGS** - PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1688. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1688 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Tilley, for a second reading of Bill No.1688. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1688 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1688, with the following results: Ayes – Durrell, Hurt, Flachsbart, Streeter, Tilley, Casey, Brown Grosser. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1688 approved, passed it and it became **ORDINANCE NO. 1525.**

BILL NO. 1690 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURES, WARRANTY DEED AND ESCROW AGREEMENT FOR BROOKHAVEN PLACE, A SUBDIVISION LOCATED ON THE WEST SIDE OF SCHOETTLER ROAD, NORTH OF CLAYTON ROAD (FORMERLY KNOWN AS A LOT OF THOMAS WHITE ESTATES) (FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)

Councilmember Brown made a motion, seconded by Councilmember Streeter, for the first reading of Bill No. 1690. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1690 was read for the first time.

Councilmember Brown made a motion, seconded by Councilmember Grosser, for a second reading of Bill No. 1690. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 1690 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 1690, with the following results: Ayes – Grosser, Durrell, Tilley, Hurt, Streeter, Casey, Brown, Flachsbart. Nays - None. Whereupon Mayor Greenwood declared Bill No. 1690 approved, passed it and it became **ORDINANCE NO. 1526.**

ADJOURNMENT

Mayor Greenwood entertained a motion to adjourn the meeting. Councilmember Tilley made a motion to adjourn the meeting. Councilmember Casey seconded the motion. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:15 p.m.

Mayor Nancy Greenwood

ATTEST:

Martha L. DeMay, City Clerk