



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, AUGUST 16, 1993

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

A roll call was taken with the following results:

PRESENTABSENT

Mayor Jack Leonard

Councilmember Dan Hurt

Councilmember Colleen Hilbert

Councilmember Nancy Greenwood

Councilmember Susan Clarke

Councilmember Ed Levinson

Councilmember Alan Politte

Councilmember Dick Hrabko

Councilmember Linda Tilley

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Steve Duke, Gabriel Hartmann, Luke Smyka, Trey Sawyer, Matt Houck and T. J. Smyka. Also in attendance was Troop Leader Tom Smyka.

Reverend Robert Loggins from the First Baptist Church of Chesterfield led the City Council in prayer.

The minutes of the July 19, 1993, meeting was submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with a unanimous affirmative result (7 - 0) and the motion was declared passed. The minutes of the August 11, 1993, special meeting was submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, to approve the minutes. A voice vote was taken with an affirmative result (7 - 0 - 1 - Councilmember Greenwood abstained) and the

motion was declared passed.

### COMMUNICATIONS AND PETITIONS

Mr. Wesley J. Lomax, who resides at Spyglass Summit Drive, expressed his concern with stop sign control and is opposed to the stop sign at Westernmill and Stablestone. He further suggested that the City use only the National Warrants.

Mr. Robert Knickmeyer, who resides at 2110 Terrimill Terrace, expressed his concern with the stormwater, drainage and landscaping problems in the Sycamore Place Subdivision.

Mr. Bill Mueller, who resides at 2102 Terrimill, expressed his concern with the conditions of the retention basin and construction traffic in the Sycamore Place Subdivision.

Mr. Douglas Crowell, who resides at 15550 Wendimill Drive, expressed his concern with the construction traffic on Wendimill in Sycamore Place and that the developer's plans are finalized when presented for approval.

Ms. Cindy Buchholz, who resides at 2015 Jeffrimill Court, asked several questions with regard to the site plan public hearing concerning the new construction in Sycamore Place Subdivision.

Mr. Roger Brown, who resides at 2021 Jeffrimill Court, expressed his concern with regard to the construction traffic in Sycamore Place Subdivision, as well as the problems with the retention basin.

Mr. Tom Gladders, 215 N. Central, stated that he represented twenty-five (25) employers in the Chesterfield Valley and thanked the City of Chesterfield for their efforts and support during the flood disaster.

Mr. Charles Fawcett, 16655 Chesterfield Airport Road, expressed his concerns with placing the issue of riverboat gambling on the November 2 ballot prior to further investigation and disclosure of what the project entails.

Mr. Jim Breckenridge, who resides at 324 Stonecrest Court, expressed his concern that no parks have been developed within the city limits, but that a riverboat gambling project is being considered.

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for City Council to disclose any interest/investment/equity they have in the Chesterfield Valley. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The Mayor and Councilmembers disclosed that they had no interest/investment/equity in the Valley.

Mr. Allan Sheppard, who resides at 826 Judson Manor, expressed his concern with the recovery program that will be developed for the Chesterfield Valley and urged that it be re-developed with an awareness of environmental issues involved.

## INTRODUCTORY REMARKS

Mayor Jack Leonard presented plaques/gift certificates to the winners of the City of Chesterfield Photo Contest: People Category - Peggy Wilson; Manmade Structures - Arlan Stemme; Plants, Scenery, Wildlife - Kelly O'Connell. This photo contest was sponsored by the City of Chesterfield Parks, Recreation and Arts Citizens Advisory Committee, West County YMCA, CPI Photo Finishing and the Chesterfield Journal.

Mayor Leonard reported on the current conditions in the Chesterfield Valley with regard to the flood disaster. Mayor Leonard thanked those individuals who have come from far and wide to aid in the recovery effort.

## COUNCIL COMMITTEE REPORTS

### Finance and Administration Committee

Councilmember Nancy Greenwood, Chairperson of the Finance and Administration Committee, announced that the next meeting of her Committee has been scheduled for August 24, 1993, at 5:30 P.M.

### Planning and Zoning Committee

Councilmember Susan Clarke, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 831 - 835 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next reported that petitions for vacations of easements in Chesterfield Village Apartments Phase I and III have been received by the City. A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, to refer these requests for vacation of easements to Staff for review. A voice vote was taken with a unanimous affirmative result (7 - 0) and the motion was declared passed.

Councilmember Clarke announced that the next meeting of this Committee has been scheduled for August 30, 1993, at 5:45 P.M.

### Public Works/Parks Committee

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Council, at its special meeting August 11, 1993, committed one million (\$1,000,000) dollars from its reserve fund to rebuild the levee in the Valley. He further commented that Sverdrup Corporation and Booker Associates have volunteered the services of their engineers to aid in the technical aspects of rebuilding the levee.

Councilmember Politte stated that "Outdoors in Chesterfield" has been scheduled for Saturday, September 18, 1993, from 8:00 AM - 3:00 PM at the Government Center. A 5K run will open the event, a 5K walk will follow and booths will be set up for demonstrations/information with regard to outdoor activities in Chesterfield.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for August 26, 1993, at 7:00 P.M.

#### Public Health and Safety Committee

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill #840 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley next reported the establishment of two (2) Police sub-stations, as requested by Chief of Police Ray Johnson. The locations suggested are those where Police presence will serve as a deterrent to crime and will help eliminate the on-going complaints of gathering youths. Sub-stations will be located at Baxter and Clayton and Olive and Woods Mill Road.

Councilmember Tilley next reported that a letter had been received from the Attorney General's office advising businesses/residents to use caution when contracting for flood repairs. Mr. Herring was directed to forward a copy of the letter to the Chamber of Commerce and to the Chesterfield Community Development Corporation.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for August 30, 1993, at 7:00 A.M.

#### NEW BUSINESS

Mayor Leonard reported that in the Work Session City Council voted unanimously to work toward establishment of a Tax Increment Financing District. Additional members will be added to the Tax Increment Financing Commission representing the Rockwood School District and other taxing districts. This Commission will then present a Tax Increment Financing Plan for City Council's review.

#### LEGISLATION

BILL NO. 812 -CREATE A MUNICIPAL OFFENSE FOR PASSING A BAD CHECK (SECOND READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL).

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #812. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #812 was read for the second time. A roll call vote was taken for passage and approval of Bill #812, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #812 approved, passed it and it became ORDINANCE #814.

BILL NO. 826 -AUTHORIZES THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH ST. LOUIS COUNTY TO PROVIDE POLICE SERVICES FOR THE ST. LOUIS COUNTY/MUNICIPAL POLICE ACADEMY (SECOND READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL).

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #826. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #826 was read for the second time. A roll call vote was taken for passage and approval of Bill #826, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #826 approved, passed it and it became ORDINANCE #815.

BILL NO. 836 -AMENDS ORDINANCE NO. 35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO (FIRST READING - PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL).

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #836. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #836 was read for the first time.

BILL NO. 837 -AMENDS THE BUILDING CODE OF THE CITY OF CHESTERFIELD, RE: FLOOD AND EARTHQUAKE DAMAGE CONSIDERATIONS (CITY ATTORNEY RECOMMENDS APPROVAL).

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 unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #837, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #837 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for a second reading of Bill #837, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #837 was read for the second time. A roll call vote was taken for passage and approval of Bill #837, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #837 approved, passed it and it became ORDINANCE #816.

BILL NO. 838 -ESTABLISHES PROCEDURES FOR REIMBURSEMENT OF ORDINARY AND TRAVEL EXPENSES FOR ELECTED OFFICIALS AND EMPLOYEES (FIRST READING - CITY ATTORNEY RECOMMENDS APPROVAL).

A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, 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 Greenwood, seconded by Councilmember Levinson, for the first reading of Bill #838. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #838 was read for the first time.

A motion was made by Councilmember Greenwood, seconded by Councilmember Tilley, for a second reading of Bill #838. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #838 was read for the second time. A roll call vote was taken for passage and approval of Bill #838, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #838 approved, passed it and it became ORDINANCE #817.

BILL NO. 839 -PROVIDES FOR BUSINESS LICENSE FEE RELIEF IN THE EVENT OF A NATURAL DISASTER (F & A COMMITTEE RECOMMENDS APPROVAL). **(WITHDRAWN)**

BILL NO. 840 -AMENDS ORDINANCE NO. 35, SCHEDULE IV, OF THE CITY OF CHESTERFIELD BY DELETING ORDINANCE NO. 323 AS IT RELATES TO PROHIBITING LEFT TURNS FROM CLARKSON ROAD AT THE ENTRANCE TO THE CLARKSON CENTRE SHOPPING CENTER (FIRST READING) (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL).

A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, for the first reading of Bill #840. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #840 was read for the first time.

BILL NO. 841 -RELATES TO CURFEW VIOLATIONS IN THE CITY OF CHESTERFIELD UNDER CIRCUMSTANCES OF AN EMERGENCY.

A motion was made by Councilmember Tilley, 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 Tilley, seconded by Councilmember Hrabko, for the first reading of Bill #841, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #841 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Greenwood, for a second reading of Bill #841, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #841 was read for the second time. A roll call vote was taken for passage and approval of Bill #841, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #841 approved, passed it and it became ORDINANCE #818.

#### LEGISLATION - PLANNING COMMISSION

BILL NO. 827 - AMENDS ORDINANCE NO. 482 OF THE CITY OF CHESTERFIELD AMENDING A "LPA" NA "NU" NON-URBAN DISTRICT FOR A PARCEL OF PROPERTY LOCATED ON THE NORTH SIDE OF OLIVE BOULEVARD AT WESTERNMILL DRIVE (P.C. 120-84, QUEATHAM HOUSE, LTD.). (PLANNING COMMISSION RECOMMENDS APPROVAL.) (SECOND READING.)

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #827. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #827 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for a second reading of Bill #827. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #827 was read for the second time. A roll call vote was taken for passage and approval of Bill #827, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #827 approved, passed it and it became ORDINANCE #819.

BILL NO. 832 - AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO "R-3" 10,000 SQUARE FOOT RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENT UNIT PROCEDURE FOR PROPERTY LOCATED ON THE EAST AND WEST SIDES OF SYCAMORE DRIVE AT KEHRS MILL ROAD (P.Z. 13 AND 14-93, WESLEY AND THERESA BYRNE, SYCAMORE DEVELOPMENT CORPORATION, JOSEPH AND PAULETTE SCHMERSAHL). (PLANNING & ZONING COMMITTEE RECOMMENDS APPROVAL.)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #832. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #832 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a

second reading of Bill #832. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #832 was read for the second time. A roll call vote was taken for passage and approval of Bill #832, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #832 approved, passed it and it became ORDINANCE #820.

BILL NO. 833 - AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "NU" NON-URBAN DISTRICT TO "R-3" 10,000 SQUARE FOOT RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENT UNIT PROCEDURE FOR PROPERTY LOCATED ON THE EAST AND WEST SIDES OF SYCAMORE DRIVE AT KEHRS MILL ROAD (P.Z. 13 AND 14-93, WESLEY AND THERESA BYRNE, SYCAMORE DEVELOPMENT CORPORATION, JOSEPH AND PAULETTE SCHMERSAHL). (PLANNING COMMISSION RECOMMENDS APPROVAL.) (WITHDRAWN)

BILL NO. 834 -AMENDS ST. LOUIS COUNTY ORDINANCE NO. 13,057 FOR A NEW AMENDED ORDINANCE RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF CHESTERFIELD PARKWAY NORTH AND OLIVE BOULEVARD (P.C. 108-86 SHELL OIL COMPANY). (PLANNING COMMISSION RECOMMENDS APPROVAL.)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #834, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #834 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a second reading of Bill #834, as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #834 was read for the second time. A roll call vote was taken for passage and approval of Bill #834, with the following results: Ayes - Hilbert, Clarke, Levinson, Politte, Hrabko. Nays - Greenwood and Tilley. Whereupon Mayor Leonard declared Bill #834 approved, passed it and it became ORDINANCE #821.

BILL NO. 835 - AMENDS ST. LOUIS COUNTY ORDINANCE NO. 15,611 AMENDING A PLANNED ENVIRONMENT UNIT (PEU) IN A "R-3" 1,000 SQUARE FOOT RESIDENCE DISTRICT AND A "FPR-3" FLOODPLAIN 1,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 26.1 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF OLD WOODS MILL ROAD, NORTH OF CONWAY ROAD (P.C. 13-88 GERIATRICS MANAGEMENT, INC. - TERRACES AT WOODS MILL COVE). (PLANNING COMMISSION RECOMMENDS APPROVAL.)

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #835. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #835 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a second reading of Bill #835. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #835 was read for the second time. A roll call vote was taken for passage and approval of Bill #835, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #835 approved, passed it and it became ORDINANCE #822.

**BILL NO. 831 - PLACES THE QUESTION OF RIVERBOAT GAMBLING ON THE BALLOT TO BE VOTED UPON BY THE CITIZENS OF CHESTERFIELD.**

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for the first reading of Bill #831. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #831 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Levinson, for a second reading of Bill #831. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The each Councilmember reported that he/she had received a favorable interest from the constituents in his/her Ward to have this issue placed on the ballot to be voted upon by the residents. Mayor Leonard, likewise, expressed his opinion that the citizens of Chesterfield had an obligation to express their desires regarding riverboat gambling through the voting process. Mr. Herring stated that the Chesterfield Community Development Corporation has approved the plan. If the proposition passes in the November 2 election, the CCDC will develop an RFP to use in selecting a firm to license riverboat gambling. Two informational public meetings will be scheduled for September 30, 1993, at 7:00 P.M. and October 28, 1993, at 7:00 P.M. Bill #831 was read for the second time. A roll call vote was taken for passage and approval of Bill #831, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #831 approved, passed it and it became ORDINANCE #823.

**RESOLUTION NO. 141 - AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF NOVEMBER 2, 1993 THE QUESTION OF COLLECTING A FEE FOR SUNDAY SALES OF LIQUOR.**

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for the adoption of Resolution #141. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Resolution #141 was adopted.

**RESOLUTION NO. 142 - AUTHORIZES THE CITY CLERK TO PLACE ON THE BALLOT OF NOVEMBER 2, 1993, THE QUESTION OF COLLECTING A FEE FOR BAD CHECKS.**

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for the

adoption of Resolution #142. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Resolution #142 was adopted.

ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Hrabko, that the meeting be adjourned to go into Executive Session for the purpose of discussing litigation. A roll call vote was taken with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Politte, Hrabko, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 8:55 P.M.

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

ATTEST:

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Martha L. DeMay, City Clerk