



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
AUGUST 21, 1995

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Jack Leonard  
Councilmember Barry Flachsbart  
Councilmember Colleen Hilbert  
Councilmember Ed Levinson  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Alan Politte  
Councilmember Mike Cullen  
Councilmember Linda Tilley

None

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Chad Lamprecht, Adam Satz, Jamie Lamprecht, Matt Houck, Jeff Rupert, Jason Meyer, Ryan Crowley, Robby Stewart. Also in attendance was Troop Leader Thomas Smyka.

Mayor Jack Leonard led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the July 17, 1995, City Council meeting and the August 2, 1995, Special City Council meeting were submitted for approval. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to approve the minutes of the July 17 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 Cullen, to approve the minutes of the August 2 Special City Council

meeting. A voice vote was taken with an affirmative result (Councilmember Hurt "Abstained") and the motion was declared passed.

### **INTRODUCTORY REMARKS**

Mayor Jack Leonard presented Certificates of Recognition to Mary Beth Winkeler and Rachel Vokoun as recipients of the Congressional Award.

Mayor Leonard announced that the last Concert in the Park for this season will be held on August 22, 1995, at 7:00 P.M. at Faust Park and invited everyone to attend.

Mayor Leonard announced that the St. Louis County Fair and Air Show has been scheduled for September 1 - 4, 1995, at Spirit of St. Louis Airport and invited everyone to attend this special event being held in our community.

Mayor Leonard placed the name of Byron Fowler in nomination, as an alternate to the Board of Adjustment, to fill the unexpired term of Carol Kenney. A motion was made by Councilmember Hilbert, seconded by Councilmember Streeter, to approve the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Fowler's term will expire on June 1, 2000.

Mayor Leonard next placed the name of Bill Devers in nomination, as a member of the Chesterfield Community Development Corporation, to fill the unexpired term of Stan Scheer. A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, to approve the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Devers' term will expire July 20, 1996.

Mayor Leonard next placed the name of Carol Kenney in nomination, as a member of the Planning Commission, to fill the unexpired term of Barb McGuinness. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to approve the nomination. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Ms. Kenney's term will expire June 3, 1996.

Mayor Leonard next entertained a motion to approve solicitations by volunteers on Old Newsboy Day. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to approve solicitations by volunteers on Old Newsboy Day. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

### **COMMUNICATIONS AND PETITIONS**

Mr. Keith Grosz, who resides at 674 Stablestone, expressed his support for Civic Progress.

Mr. Richard Puhl, who resides at 2038 Baycrown Court, expressed his opposition to the method by which utility tax is collected by Union Electric Company. Although the City established a 5% rate, UE actually charges 5.263%, Mr. Herring explained the process by which this tax is collected and confirmed that the PSC and TAG courts have upheld UE's authority to charge 5.263%. Councilmember Hilbert requested that this item be placed on the next Finance and Administration Committee agenda for review.

## **COUNCIL COMMITTEE REPORTS**

### **Public Health and Safety**

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 1108 - 1110 and #'s 1092 - 1095 will be considered for adoption under the Legislation portion of the agenda. As a result of the discussion in the Work Session, a motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to table Bill #1109 with regard to the name change of the Board of Police Commissioners to the January 2, 1996 City Council meeting. This motion was approved unanimously.

Councilmember Hilbert next deferred to Councilmember Streeter to report on the recommendations of the Traffic Task Force. Councilmember Streeter noted that the Traffic Study had been submitted for approval at the July 20 City Council meeting and was referred to Public Health and Safety for review. A motion was made by Councilmember Streeter to accept those recommendations receiving 70% support and above as set forth by the Traffic Task Force. The motion was seconded by Councilmember Levinson. Discussion ensued. Councilmember Hurt expressed his concern that the stop sign policy had not been addressed and recommended that the items receiving 80% support and above be adopted. Much discussion continued. A motion was made by Councilmember Hurt, seconded by Councilmember Tilley, to table this issue. A roll call vote was taken with the following results: Ayes - Flachsbart, Hurt, Politte, Tilley. Nays - Hilbert, Levinson, Streeter, Cullen. Mayor Leonard broke the tie vote by voting "Aye." The Report was tabled.

Councilmember Hilbert announced that the next meeting of this Committee has been scheduled for September 11, 1995 at 5:30 P.M.

### **Planning and Zoning**

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 1124, 1125, 1111 and 1126 will be considered for adoption under the Legislation portion of the agenda.

A motion was made by Councilmember Tilley, seconded by Councilmember Streeter, to refer back to the Planning and Zoning Committee Bill #'s 1121, P.Z. 17-95, Sycamore Development Company, 1122, P.Z. 18-95, Sycamore Development Company and 1123,

P.Z. 18-95, Sycamore Development Company (PEU), all pertaining to Schoettler Ridge, due to the protest petitions filed for further review and discussion.

Councilmember Levinson next reported that there has been a protest petition filed with regard to Bill #'s 1127 - 1129, P.Z. 20-95 and P.Z. 21-95, Premier Development Corporation (Windridge Estates) and announced that a Public Hearing has been scheduled for September 7, 1995, at 6:00 P.M.

Councilmember Levinson next entertained a motion to receive and file the Conditional Use Permit submitted by George Eble/Western Oil, P.Z. 11-95. A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to receive and file this petition. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. This petition will automatically be approved following a 15-day period.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for September 7, 1995, at 5:30 P.M.

### **Public Works/Parks**

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that the Committee voted unanimously to approve a transfer of funds for an analysis of two potential borrow sites as sources of fill for construction of a 500-year levee. A motion was made by Councilmember Politte, seconded by Councilmember Cullen, that City Council direct Staff to negotiate a change in the contract with Sverdrup Corporation to carrying this analysis at a total cost not to exceed \$20,000 and to transfer this amount from the Valley escrow account. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported on the proposed amendment to revise the escrow process. This recommendation establishes individual lot escrows to guarantee installation of sidewalk, street trees and proper grading in place of the subdivision escrow of those items. A motion was made by Councilmember Politte, seconded by Councilmember Cullen, to revise the escrow policy in conjunction with issuance of zoning approvals and building permits for single family residences. Applicants will be required to provide a cash escrow to guarantee satisfactory completion of individual lot improvements, including, but not limited to, sidewalks, street trees and grading. Said deposit is to be refunded to the applicant upon satisfactory completion of improvements, in substantial accordance with plans approved by the City. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that Bill #'s 1107, 1112 - 1114 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for September 7, 1995, at 7:30 P.M.

## **Finance and Administration**

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that the Committee voted unanimously to recommend that City Council establish a policy that allows for reconsideration votes as provided by Robert's Rules of Order, which allows reconsideration at the same meeting or the next meeting thereafter; or after the passage of a minimum of six (6) months or immediately following each year's April (municipal) election, whichever comes first. A motion was made by Councilmember Tilley, seconded by Councilmember Cullen, to approve this policy. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley next reported that Bill #1115 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for August 24, 1995, at 5:30 P.M.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that while much of the groundbreaking ceremony event for the new Public Works facility was funded by donations secured on behalf of the City of Chesterfield, some bills for out-of-pocket expenses totaling \$620 were incurred. In addition, the City assumed in-kind expenses for printing the invitations, postage to mail invitations, and the cost of drinks, napkins and cups. He recommended that the balance in the "Inaugural Fund" of \$642.44 be used to cover these additional expenses. A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, to use the \$642.44 in the "Inaugural Fund" to cover the expenses of \$620 incurred for the groundbreaking ceremony for the Public Works facility. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for the site work needed to construct a new Public Works Maintenance Facility. The work includes sanitary sewers, storm sewers, grading of the entrance road and rough site grading. The Construction Manager and Mike Geisel, Director of Public Works/City Engineer, have reviewed these bids and recommend acceptance of the low bid submitted by McFry Excavating, totaling \$99,550. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to accept the bid submitted by McFry Excavating, totaling \$99,550. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. This work will be funded by the \$2.5 million in bonds recently sold by the City of Chesterfield for construction of this facility.

Mr. Herring next reported that as a part of the total development planned in conjunction with the Public Works Maintenance Facility, bids were sought for the purchase/installation of a salt dome. The only bid received was submitted from the sole supplier of this type of facility, Dome Corporation of America, and totals \$147,900. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to accept the bid submitted

by Dome Corporation of America in the amount of \$147,900. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently submitted for the supply and installation of structural steel in conjunction with the proposed Public Works Maintenance Facility. The low bid was submitted by Custom Steel, totaling \$126,477. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to accept the bid submitted by Custom Steel in the amount of \$126,477. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The funding for this purchase will come from the funds generated by the sale of bonds for this facility.

Mr. Herring announced that the Government Center will be closed on Monday, September 4, 1995, in observance of Labor Day.

### **NEW BUSINESS**

Pursuant to discussion in the Work Session with regard to a change in monthly City Council meetings, a motion was made by Councilmember Cullen, seconded by Councilmember Flachsbart, to continue the summer schedule for Council meetings for the months of October, November and December 1995, on a temporary basis, meeting on the third Monday of each month and meeting on the first Monday of each month, if necessary. An amendment was made by Councilmember Hilbert to reduce compensation to Councilmembers from \$500 to \$250 per month. The motion was seconded by Councilmember Levinson. Much discussion ensued. Councilmember Tilley noted that she had requested that this item be placed on the next agenda of the Finance and Administration Committee. After additional discussion, a motion was made by Councilmember Levinson, seconded by Councilmember Streeter, to table the issue and refer it to the Finance and Administration Committee for further review. A roll call vote was taken with the following results: Ayes - Levinson, Streeter, Hurt, Politte, Tilley. Nays - Flachsbart, Hilbert, Cullen. The motion was declared passed.

Councilmember Hurt reported that he had received additional information with regard to the recent appointment of individuals to the Board of Police Commissioners. He made a motion to reconsider the recent appointments of the individuals to the Board of Police Commissioners. After much discussion and counsel from City Attorney Doug Beach, this matter will be discussed in Executive Session and the City Council meeting reconvened, if action must be taken.

### **LEGISLATION**

BILL #1092                      AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF SAYLESVILLE DRIVE AT ITS INTERSECTION WITH BOXFORD COURT (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS

APPROVAL - **SECOND READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, for a second reading of Bill #1092. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed. Bill #1092 was read for the second time. A roll call vote was taken for passage and approval of Bill #1092, with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, Cullen and Tilley. Nays - Levinson, Streeter. Whereupon Mayor Leonard declared Bill #1092 approved, passed it and it became **ORDINANCE #1064**.

BILL #1093            AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF SAYLESVILLE DRIVE AND WETHERSFIELD TERRACE COURT (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, for a second reading of Bill #1093. A voice vote was taken with an affirmative result (Councilmembers Levinson and Streeter voted "No") and the motion was declared passed. Bill #1093 was read for the second time. A roll call vote was taken for passage and approval of Bill #1093, with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, Cullen and Tilley. Nays - Levinson and Streeter. Whereupon Mayor Leonard declared Bill #1093 approved, passed it and it became **ORDINANCE #1065**.

BILL #1094            AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF SAYLESVILLE DRIVE AND NEW BEDFORD COURT (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, for a second reading of Bill #1094. A voice vote was taken with an affirmative result (Councilmembers Levinson and Streeter voted "No") and the motion was declared passed. Bill #1094 was read for the second time. A roll call vote was taken for passage and approval of Bill #1094, with the following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, Cullen and Tilley. Nays - Levinson, Streeter. Whereupon Mayor Leonard declared Bill #1094 approved, passed it and it became **ORDINANCE #1066**.

BILL #1095            AMENDS ORDINANCE #35, SCHEDULE VII OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO YIELD INTERSECTIONS BY APPROVING YIELD SIGNS AT THE INTERSECTION OF SUMMER RIDGE DRIVE AND YORK RIDGE COURT (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, for a second reading of Bill #1095. A voice vote was taken with an affirmative result (Councilmembers Levinson and Streeter voted "No") and the motion was declared passed. Bill #1095 was read for the second time. A roll call vote was taken for passage and approval of Bill #1095, with the

following results: Ayes - Flachsbart, Hilbert, Hurt, Politte, Cullen and Tilley. Nays - Levinson and Streeter. Whereupon Mayor Leonard declared Bill #1095 approved, passed it and it became **ORDINANCE #1067.**

BILL #1108            AMENDS ORDINANCE #35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING A PROVISION THERETO CREATING NO PARKING ON THE WEST SIDE OF JUDSON MANOR (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, for the first reading of Bill #1108. A voice vote was taken with an affirmative result (Councilmembers Levinson and Streeter voted "No") and the motion was declared passed. Bill #1108 was read for the first time.

BILL #1110            AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF COUNTRYSIDE MANOR PARKWAY AND COUNTRYSIDE MANOR PLACE (PUBLIC HEALTH & SAFETY COMMITTEE RECOMMENDS APPROVAL - **FIRST READING**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Tilley, for the first reading of Bill #1110. A voice vote was taken with an affirmative result (Councilmembers Levinson and Streeter voted "No") and the motion was declared passed. Bill #1110 was read for the first time.

BILL #1111            AUTHORIZES THE SUBMISSION TO THE VOTERS OF THE CITY OF CHESTERFIELD, MISSOURI, AT THE SPECIAL ELECTION ON NOVEMBER 7, 1995, THE QUESTION OF WHETHER THE CITY SHALL LEVY A BUSINESS LICENSE TAX ON THE OCCUPATION OF OPERATING AN OUTDOOR ADVERTISING BILLBOARD WITHIN THE CITY, IN THE AMOUNT OF \$3,500.00, OR FIVE PERCENT (5%) OF THE BILLBOARD'S GROSS REVENUE PER YEAR, WHICHEVER IS GREATER (PLANNING & ZONING COMMITTEE RECOMMENDS APPROVAL - **FIRST AND SECOND READINGS**).

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, for the first reading of Bill #1111. A voice vote was taken with an affirmative result (Councilmember Hurt voted (No")) and the motion was declared passed. Bill #1111 was read for the first time.

A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. Councilmember Streeter questioned the request for the second reading at this meeting. Mr. Herring responded by saying that the Board of Election advised that certification was due on September 12 prior to 5:00 P.M. and, in fact, the second reading could take place at the September 5 City Council meeting. Councilmember Streeter expressed his desire to have the second reading take place at that time. A roll call vote was taken to suspend the rules for the second reading of Bill #1111, with the following results: Ayes - Flachsbart, Hilbert, Cullen. Nays -

Levinson, Streeter, Hurt, Politte, Tilley. Whereupon Mayor Leonard declared the motion failed. The second reading of this proposed ordinance will take place September 5.

**BILL #1107** APPROVES THE EXECUTION OF A PERMANENT EASEMENT DEED TO THE MONARCH-CHESTERFIELD LEVEE DISTRICT FOR A .41 ACRE LAND FOR THE CONSTRUCTION OF A FLOOD PROTECTION LEVEE (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL - **SECOND READING**).

A motion was made by Councilmember Politte , seconded by Councilmember Cullen, for a second reading of Bill #1107. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1107 was read for the second time. A roll call vote was taken for passage and approval of Bill #1107, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1107 approved, passed it and it became **ORDINANCE #1071**.

**BILL #1112** APPROVES THE EXECUTION OF A PERMANENT EASEMENT DEED TO THE MONARCH-CHESTERFIELD LEVEE DISTRICT FOR A .60 ACRE LAND FOR THE CONSTRUCTION OF A FLOOD PROTECTION LEVEE (PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL - **FIRST AND SECOND READINGS**).

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for the first reading of Bill #1112. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1112 was read for the first time.

A motion was made by Councilmember Politte, 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 Politte, seconded by Councilmember Levinson, for a second reading of Bill #1112. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1112 was read for the second time. A roll call vote was taken for passage and approval of Bill #1112, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1112 approved, passed it and it became **ORDINANCE #1072**.

**BILL #1113** APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN BRIDLE DEVELOPMENT LOCATED IN THE CITY OF CHESTERFIELD (PUBLIC WORKS/PARKS RECOMMENDS APPROVAL - **FIRST AND SECOND READINGS**).

A motion was made by Councilmember Politte, seconded by Councilmember Cullen, for the first reading of Bill #1113. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1113 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Hurt, for a second reading of Bill #1113. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #1113 was read for the second time. A roll call vote was taken for passage and approval of Bill #1113, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1113 approved, passed it and it became **ORDINANCE #1073**.

**BILL #1114**                    **FIXES THE RATE OF TAXATION FOR THE YEAR OF 1995 AND LEVIES A TAX ON ALL PROPERTY MADE TAXABLE BY THE LAW WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD, MISSOURI, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE GENERAL OBLIGATION BOND ISSUE FOR PARKS; EFFECTIVE WHEN (FINANCE & ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL - FIRST AND SECOND READINGS).**

A motion was made by Councilmember Politte, seconded by Councilmember Hurt, for the first reading of Bill #1114. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1114 was read for the first time.

A motion was made by Councilmember Politte, 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 Politte, seconded by Councilmember Tilley, for a second reading of Bill #1114. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1114 was read for the second time. A roll call vote was taken for passage and approval of Bill #1114, with the following results: Ayes - Flachsbart, Hilbert, Streeter, Hurt, Politte, Cullen and Tilley. Nays - Levinson. Whereupon Mayor Leonard declared Bill #1114 approved, passed it and it became **ORDINANCE #1074**.

**BILL #1115**                    **AMENDS ORDINANCE #217 OF THE CITY OF CHESTERFIELD TO RECLASSIFY CERTAIN POSITIONS IN THE POSITION CLASSIFICATION PLAN (FINANCE & ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL - FIRST AND SECOND READINGS).**

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for the first reading of Bill #1115. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1115 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A roll call vote was taken as follows: Ayes - Flachsbart, Hilbert, Politte, Tilley. Nays - Levinson, Streeter, Hurt, Cullen. Mayor Leonard broke the tie vote by voting "Aye" and the motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for a second reading of Bill #1115. A voice vote was taken with an affirmative result (Councilmember Levinson voted "No") and the motion was declared passed. Bill #1115 was read for the second time. A roll

call vote was taken for passage and approval of Bill #1115, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1115 approved, passed it and it became **ORDINANCE #1075**.

Councilmember Hurt stated that he opposes the street maintenance classification because he opposed the same reclassification plan last November.

Councilmember Hilbert requested that the issue of suspension of the rules be revisited. She stated her concern that proposed legislation concerning employees' pay schedules have two readings at the same meeting. This was referred to the Finance and Administration Committee or discussion.

## **LEGISLATION - PLANNING COMMISSION**

BILL #1124                    AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF A "C-8" PLANNED COMMERCIAL DISTRICT TO AN "R-2" 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 3.0 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF LADUE ROAD, APPROXIMATELY 1100 FEET EAST OF THE INTERSECTION OF GREEN TRAILS DRIVE AND LADUE ROAD (P.Z. 9-95 OLYMPIC HOMES, INC. - LADUE GROVE). (PLANNING COMMISSION RECOMMENDS APPROVAL).

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1124. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1124 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for a second reading of Bill #1124. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1124 was read for the second time. A roll call vote was taken for passage and approval of Bill #1124, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1124 approved, passed it and it became **ORDINANCE #1068**.

BILL #1125                    AMENDS ST. LOUIS COUNTY ORDINANCE NUMBER 12,282 AUTHORIZING A PLANNED ENVIRONMENT UNIT DEVELOPMENT WITHIN THE "R-6" 2,000 SQUARE FOOT RESIDENCE DISTRICT AND "R-6A" 4,000 SQUARE FOOT RESIDENCE DISTRICT, LOCATED SOUTH OF OLIVE BOULEVARD, EAST OF CHESTERFIELD PARKWAY NORTH (P.C. 130-85 PEACHTREE LIMITED). (PLANNING COMMISSION RECOMMENDS APPROVAL).

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1125. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1125 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for a second reading of Bill #1125. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1125 was read for the second time. A roll call vote was taken

for passage and approval of Bill #1125, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1125 approved, passed it and it became **ORDINANCE #1069**.

BILL #1126 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION PLAT OF LOT 6 OF BRAEFIELD SUBDIVISION; NORTH SIDE OF OLIVE BOULEVARD, EAST OF WEST DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL).

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1126. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1126 was read for the first time.

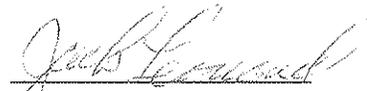
A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1126. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1126 was read for the second time. A roll call vote was taken for passage and approval of Bill #1126, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1126 approved, passed it and it became **ORDINANCE #1070**.

#### ADJOURNMENT

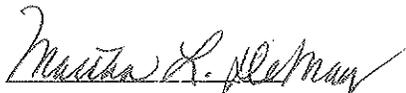
A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley, that the meeting be adjourned to go into Executive Session (Closed Meeting) to discuss litigation (RSMo 610.021(1), property acquisition (RSMo 610.021(2) and personnel (RSMo 610.021(3)). A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 9:10 P.M.

The meeting was reconvened at 9:20 P.M. City Attorney Doug Beach had researched Robert's Rules of Order and stated that action had been taken by the new members of the Board of Police Commissioners in that they had been sworn in and had taken their positions on the Board. Therefore, there this matter could not be discussed in Executive Session.

A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to adjourn the meeting to go into Executive Session (Closed Meeting) to discuss litigation (RSMo 610.021(1), property acquisition (RSMo 610.021(2) and personnel (RSMo 610.021(3)). A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen, Tilley. Nays - None. The motion was declared passed. The meeting was adjourned at 9:21 P.M.

  
Mayor Jack Leonard

ATTEST:

  
Martha L. DeMay, City Clerk