
RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 922 ROOSEVELT PARKWAY, ON SEPTEMBER 5, 1989

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

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Fred Steinbach
Councilmember Betty Hathaway
Councilmember June Schroeder
Councilmember Jade Gardner Bute
Councilmember Dan H urt
Councilmember Doug Hartman
Councilmember Dick Hrabko
Councilmember Charlie Fawcett

Councilmember Barry Flachsbart

The Pledge of Allegiance was led by Boy Scout Troop 848 from Highcroft School: Luke Smyka and T. J. Smyka. Also in attendance was Assistant Scoutmaster Thomas D. Smyka.

The Reverend Ralph Green from Antioch Baptist Church led the City Council in prayer.

APPROVAL OF THE MINUTES

The minutes of the August 21, 1989 meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

The following individuals spoke before the Council stating their support in favor of the commercial center as proposed in Bill #326, Sullivan Hayes, Inc.:

Don Kemner, 15239 Olive Street Road
Syl Santo, 1284 Luray Drive (presented petitions containing 295 signatures)
Tom Hall, 35 Arrowhead Estates Drive
Mildred Woodruff, 15346 Olive Street Road
Leon Miller, 4 Youngstown Court
Barbara Rullo, 5 Braniff Court
Paul Rullo, 5 Braniff Court

The following individuals spoke before the Council stating their opposition to the commercial center as proposed in Bill #326, Sullivan Hayes, Inc.:

Maurice Allen, 271 Glen Hollow
Jack Leonard, 233 Crownridge Drive (presented petitions containing 584 signatures)
Judy LeDoux, 14933 Appalachian Trail
Jack Sander, 1230 Beaver Creek Road
Clayton Hathaway, 112 High Valley Drive
Royce Engel, 135 Ridgecrest Drive
Dr. Lynn H. O'Connor, 1183 Jonesborough Road

Jeanne Rodey, 3 Braniff Court, spoke before the Council and requested a moratorium be imposed until the Comprehensive Plan is completed before action is taken on Bill #326, Sullivan Hayes, Inc. Several members of Council also spoke (pro and con) concerning the issue.

INTRODUCTORY REMARKS - MAYOR FRED STEINBACH

Mayor Fred Steinbach recognized the members of the Coro Foundation in attendance who are working on a project to determine the "Logic of Chesterfield". They will present their findings at a public meeting on September 8, 1989, at 4:00 P.M., in the Council Chambers.

Mayor Steinbach next submitted the name of Linda Tilley, Ward IV, to be placed in nomination as an alternate member of the Board of Adjustment. On a motion by Councilmember Hrabko, seconded by Councilmember Fawcett, Council voted unanimously to affirm this nomination.

COUNCIL COMMITTEE REPORTS

Planning and Economic Development

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, first discussed all ordinances listed on the agenda under "Legislation - Planning Commission." Due to the indication that a protest may be filed regarding Bill #355, P.Z. 17 and 18-89 (Charles Liebert), a motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, to receive and file this bill. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hrabko next made a motion to submit to the Planning Commission a proposed amendment concerning the protest special procedures request section of the Zoning Ordinance. This was seconded by Councilmember Bute and submitted to the Planning Commission for consideration.

Finance and Administration

Councilmember Hartman, Chairperson of the Finance and Administration Committee, discussed Bill #347 which pertains to candidate filing procedures. This bill will be introduced for consideration under the Legislation portion of the agenda.

Councilmember Hartman announced the next meeting of his Committee would be October 3, 1989, at 5:00 P.M.

Public Works and Parks

Councilmember Bute, Chairperson of the Public Works/Parks Committee, announced the next meeting of her Committee will be held on September 21, 1989, at 5:30 P.M.

Councilmember Bute briefly discussed Bill #348, which deals with the removal of fire hydrants, and will be introduced for consideration under the Legislation portion of the agenda.

Public Health and Safety

Mayor Steinbach, in Councilmember Flachsbart's absence, reported that Councilmember Schroeder will introduce Bill #349 pertaining to the amending of Ordinance #35 later on in the agenda. This proposed ordinance deals with the amendment of "No Parking" requirements on Santa Maria Drive.

Mayor Steinbach also announced the next meeting of the Public Health and Safety Committee will be held on September 13, 1989, at 5:45 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Herring first requested the approval of a temporary liquor license to the Chesterfield Chamber of Commerce for a dinner/dance and auction to be held September 23, 1989, for the sale of all kinds of intoxicating liquor by the drink to be consumed on the premises and a temporary liquor license to Emerson Unitarian Chapel for a church picnic to sell beer only. A motion was made by Councilmember Fawcett, seconded by Councilmember Bute, to approve these temporary licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring reported that seven (7) bids had been received for the purpose of purchasing two (2) 2 1/2 ton diesel dump trucks complete with snow plowing and salt spreading equipment. Bids ranged from a low of \$87,312.00 submitted by Art Hack Buick to a high of \$97,077.80 submitted by Broadway Ford. Bids received have been reviewed by Director of Public Works/City Engineer Bill Hawn and his recommendation is that the low bid submitted by Art Hack Buick for a total of \$87,312.00 be approved by City Council for the purchase of two (2) 2 1/2 ton dump trucks with the snow plowing and salt spreading equipment. A motion was made by Councilmember Bute, seconded by Councilmember Fawcett, to accept this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring stated that bids had been sought from the two (2) companies in the area who sell pothole patching machines. Only one (1) bid was submitted by Cummings, McGowan and West for a total cost of \$29,995 for the Rosco Asphaltite Patcher. Since only one

bid was received, several other cities who purchased similar equipment were contacted. It was confirmed that the price was in line with what other cities had paid under competitive situations for this equipment. City Administrator Herring requested that the City Council, based upon Director of Public Works/City Engineer Bill Hawn's recommendation, approve the purchase of the Rosco Asphaltite Patcher. A motion was made by Councilmember Bute, seconded by Councilmember Fawcett, to accept this recommendation. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring reported that budget adjustments were necessary to accomodate the purchases approved by Ciyt Council this date and other adjustments have taken place over the past seven months of operation. He requested approval be given to the following inter-department transfers:

Transfers From:

<u>Account Name</u>	<u>Account Number</u>	<u>Amount</u>
Salaries - Regular	01-011-510.111	\$ 6,100.00
Salaries - Regular	01-033-510.111	1,250.00
Interest Expense	01-036-520.242	20,000.00
Insurance	01-041-520.240	9,000.00
Salaries - Regular	01-042-510.111	10,000.00
Salaries - Regular	01-043-510.111	15,000.00
Salaries - Regular	01-071-510.111	14,000.00
Salaries - Regular	01-072-510.111	30,000.00
Contingency	01-091-550.511	58,150.00
		\$208,500.00

Transfers To:

<u>Account Name</u>	<u>Account Number</u>	<u>Amount</u>
Salaries - Supervisory	01-033-510.110	\$ 12,000.00
Public Relations	01-033-520.262	5,000.00
Salaries - Regular	01-036-510.111	10,000.00
Salaries - Regular	01-041-510.111	13,000.00
Salaries - Regular	01-051-510.111	1,000.00
Rental Equipment	01-071-520.268	6,500.00
Miscellaneous Contractual	01-072-520.251	16,000.00
Departmental Supplies	01-072-530.313	18,000.00
Salt & Abrasives	01-072-530.340	10,000.00
Machinery & Equipment	01-072-540.440	30,000.00
Automobiles & Trucks	01-072-540.460	87,000.00
		\$208,500.00

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, to approve these budget transfers. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION

BILL #347 REPEALS SECTION ONE (1) OF ORDINANCE #152; COVERING ELECTIONS IN THE CITY OF CHESTERFIELD, AND ESTABLISHING A PROCEDURE FOR CANDIDATE FILING AND SETTING THE FILING PERIOD FOR OFFICE

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, for a first reading of Bill #347. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #347 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Fawcett, for a second reading of Bill #347. 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 #347, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #347 approved, passed it and it became ORDINANCE #340.

BILL #348 APPROVES THE REMOVAL OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for a first reading of Bill #348. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #348 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for a second reading of Bill #348. 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 #348, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #348 approved, passed it and it became ORDINANCE #341.

BILL #349 AMENDS ORDINANCE #35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD TO AMEND PROVISIONS THEREFROM

A motion was made by Councilmember Schroeder, seconded by Councilmember Fawcett, for a first reading of Bill #349. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #349 was read for the first time.

A motion was made by Councilmember Fawcett, seconded by Councilmember Bute, for a second reading of Bill #349. 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 #349, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #349 approved, passed it and it became ORDINANCE #342.

LEGISLATION - PLANNING COMMISSION

BILL #350 AUTHORIZES A REPLACEMENT ESCROW FOR THE CHESTERFIELD ESTATES PLAT I, A SUBDIVISION

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a first reading of Bill #350. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #350 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #350. 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 #350, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #350 approved, passed it and it became ORDINANCE #343.

BILL #351 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "M-3" PLANNED INDUSTRIAL DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT (P.Z. 23-89, LONG ROAD REALTY VENTURE, INC.)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #351. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #351 was read for the first time.

An amendment on Page 5 of Attachment B was requested by Councilmember Fawcett to read "may" instead of "will" in the last paragraph under Site Development Fees. Councilmember Hrabko accepted this amendment.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #351. 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 #351, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #351 approved, passed it and it became ORDINANCE #344.

BILL #352 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE COMBINING TWO PARCELS OF THE "C-8" PLANNED COMMERCIAL DISTRICT INTO A COMBINED PARCEL WITH AN AMENDED "C-8" DISTRICT FOR PROPERTY ON THE WEST SIDE OF LONG ROAD (P.Z. 23- 89, LONG ROAD REALTY VENTURE, INC.)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a first reading of Bill #352. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #352 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #352. 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 #352, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #352 approved, passed it and it became ORDINANCE #345.

BILL #353 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "NU" NON-URBAN DISTRICT TO "R-3" TEN THOUSAND SQUARE FOOT RESIDENTIAL DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT OF A .3 ACRE TRACT (P.Z. 24 AND 25-89, STONEBRIAR DEVELOPMENT CORPORATION)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a first reading of Bill #353. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #353 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #353. 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 #353, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #353 approved, passed it and it became ORDINANCE #346.

BILL #354 AMENDS ORDINANCE #237 RELATING TO P.C. 17 AND 19-88 AND P.C. 25-88 MICELI DEVELOPMENT COMPANY AND STONEBRIAR DEVELOPMENT COMPANY, BY INCLUDING WITHIN THE APPROVED "R-2" AND "R-3" RESIDENTIAL DISTRICTS THE REAL ESTATE INCLUDED IN P.Z. 24 AND 25-89 (STONEBRIAR DEVELOPMENT CORPORATION)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a first reading of Bill #354. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #354 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for a second reading of Bill #354. 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 #354, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #354 approved, passed it and it became ORDINANCE #347.

BILL #355 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE 'NU" NON-URBAN DISTRICT TO "R-1A" TWENTY-TWO THOUSAND SQUARE FOOT RESIDENTIAL DISTRICT WITH A PLANNED ENVIRONMENTAL UNIT PROCEDURE A CERTAIN TRACT OF LAND LOCATED ON SCHOETTLER ROAD (P.Z. 17 AND 18-89, CHARLES LIEBERT)

This Bill has been received and filed under the Planning and Economic Development Committee Report, pending receipt of protest actions by citizens.

BILL #356 AMENDS ORDINANCE #11,855 OF ST. LOUIS COUNTY BY REPEALING SECTION 4A (S) (a) AND SECTION 4E (1) AND ENACTING IN LIEU THEREOF NEW SECTIONS REGARDING P.C. 104-84 OF ST. LOUIS COUNTY, BARKEN AND DUBINSKY/VALLEY CENTER

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #356. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #356 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett for a second reading of Bill #356. 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 #356, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #356 approved, passed it and it became ORDINANCE #348.

BILL #357 VACATES AN EASEMENT ON LOT 25 OF THE SEASONS AT SCHOETTLER

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #357. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #357 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett for a second reading of Bill #357. 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 #357, with the following results: Ayes - Hathaway, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #357 approved, passed it and it became ORDINANCE #349.

BILL #326 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF AN "R-2" AND "R-6A" RESIDENTIAL DISTRICT TO A "C-8" PLANNED COMMERCIAL DISTRICT FOR A 19.3 ACRE TRACT OF LAND ON THE NORTH SIDE OF OLIVE BOULEVARD (P.Z. 9-89, SULLIVAN-HAYES COMPANY)

Before a motion for the first reading of Bill #326 was called for, Councilmember Bute requested that Bill #326 and #327 be held due to the controversial issue of these two bills and further stated it was important that the entire City Council be present to vote. In addition, she felt more time in the interim was needed for reconsideration of the bills.

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, for the first reading of Bill #326 as amended by the Planning and Economic Development Committee as follows:

1. Architectural elevations of the proposed project shall be submitted to the City Council for review and approval.
2. Floor area. Total gross floor area of this development shall not exceed 158,000 square feet.
3. Parking setbacks. No Parking stall, loading space, internal driveway or roadway excluding points of ingress and egress shall be located within 50 feet of the right-of-way along Olive Street Road. However, upon the release of the State of its right-of-way along Olive Street Road on the frontage of this project, setback shall be 50 feet from the edge of road right-of-way.
4. Building setbacks. No building or parking area or structures other than retaining walls shall be located within 50 feet of the eastern edge of the property running the full length of the property. This area shall be landscaped and developed in a park-like manner.
- 4B. This item is to be coordinated with "W" in the miscellaneous section of Attachment B of the Commission's report to read as follows: "W - No structures or parking area shall be permitted west of the relocated West Drive. This area shall be landscaped as approved in the site development plan and be developed in a park-like manner."
5. The site development plan shall be approved by the City Council with a recommendation from the Planning Commission.

A voice vote was taken with an affirmative result (6 - 1; Councilmember Bute voting no) and the motion was declared passed. Bill #327 was read for the first time.

ADJOURNMENT

A motion was made by Councilmember Hartman, seconded by Councilmember Bute, 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 9:25 P.M.

Mayor Frederic M. Steinbach

ATTEST:

City Clerk