

## RECORD OF PROCEEDINGS

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
ON SEPTEMBER 6, 1988

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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

Mayor Fred Steinbach  
Councilmember Charles Fawcett  
Councilmember Robert Frank  
Councilmember Richard Hrabko  
Councilmember Ward Overall  
Councilmember Jade Bute  
Councilmember Doug Hartman  
Councilmember Jack Neiner  
City Attorney Doug Beach  
City Administrator Michael G. Herring

ABSENT

Councilmember Barry Flachsbart

The Pledge of Allegiance was given.

The Rabbi Simcha Weinberg from Tpheris Is. Chevera Kadisha led the City Council in prayer.

**APPROVAL OF THE MINUTES**

The Minutes of the August 15, 1988 meeting were submitted for approval. A motion was made by Councilmember Neiner, seconded by Councilmember Bute to approve the minutes. A roll call vote was taken for approval of the Minutes with the following results: Ayes - Fawcett, Frank, Hrabko, Overall, Hartman, Bute, Neiner. Nays - None. Absent - Flachsbart. The Minutes were approved.

**INTRODUCTORY REMARKS - MAYOR FRED STEINBACH**

Mayor Fred Steinbach stated that the Chesterfield Jamboree will be held on September 10 and 11. It should be a wonderful event, and everyone is urged to attend.

Mayor Fred Steinbach stated that he has appointed Councilmember Jade Bute to serve as a member of the University of Missouri Extension Council. This appointment has been filled in the past by Ms. Audrey Peeler.

Mayor Fred Steinbach stated that the City of Chesterfield had issued a Proclamation as requested by the Governor's Committee on Employment of the Handicapped. This proclamation declares the month of October as Disability Employment Awareness Month. A motion was made by Councilmember Bute, seconded by Councilmember Overall to approve the Proclamation whereas October is National Disability Employment Awareness Month (copy attached.) A voice vote was taken with an affirmative result and the motion was declared passed.

## **COUNCIL COMMITTEE REPORTS**

### **Public Works Committee**

Councilmember Fawcett, Chairperson of the Public Works Committee, stated that the Architectural Review Citizens Committee met and a draft of proposed standards concerning construction and appearance of buildings is being prepared, for ultimate approval by the City Council.

Councilmember Fawcett stated that the City has reviewed a response from the County Highway Department on the Chesterfield Village Parkway as to the difficulties of installing a median in that area. Our Public Works Department is reviewing the information to see if they can come up with any suggestions on how it may be accomplished.

Councilmember Fawcett stated that the City has received bids on snowplowing equipment. Due to the need to act as quickly possible, the Council has taken a straw vote and has already authorized ordering the trucks and the snow plows. Five vehicles will be delivered sometime in October. City Administrator Michael Herring will discuss details in his report.

### **Planning / Economic Development Committee**

Councilmember Hrabko stated that he had four items to discuss at this meeting. The first is the Borman Development, which is a rezoning on Forest Crest Drive adjacent to Ladue Trails Subdivision. (Bills #186 and #178) The Committee has reviewed those bills and is going to recommend that Bill #186 be passed, which refers to the rezoning of the property. There have been some questions raised by some citizens of Ward I. At the request of Councilmember Neiner, the Planning/Economic Development Committee is going to recommend that Bill #178, which deals with the PEU Planned Environmental Unit, for that particular zoning, be held and referred to the Planning/Economic Development Committee. Councilmember Hrabko stated that some of the citizens have brought to the City's attention that the homes in the vicinity of this proposed subdivision are of brick construction and have rear entry garages. This Committee wants to have the opportunity to review the area in question.

In a related matter, Councilmember Hrabko stated that there has been some consideration to putting a cul-de-sac at the East end or West end of the Borman Development. However, it is obvious that the street was meant to go thru. It is stubbed at both ends. This will help relieve some of the traffic situation on Forest Vale. The Committee has talked to the Fire District and will recommend that the street go through.

Councilmember Hrabko stated that the City has had several citizen complaints about tall weeds and dumping in City Limits. Councilmember Bute and Councilmember Hrabko have reviewed some of these areas and have requested that an ordinance be drafted by the City Attorney. The ordinances are being prepared and should be submitted to Council at the September 19 meeting.

Councilmember Hrabko stated that the Planning/Economic Development Committee will meet on a regular basis. It will meet the first and third Thursday of the month at 5:30 p.m. at the Government Center. The first meeting, however, will be Wednesday, September 7, at 5:00 p.m. To be discussed will be those actions of the Planning Commission taken at their August 22 meeting.

Councilmember Hrabko is the Liason for the City of Chesterfield Economic Development Council. They have met two or three times and have drafted a Mission Statement entitled "Building a Better Community." A motion was made by Councilmember Hrabko, seconded by Councilmember Bute to adopt the following as the Mission statement for the Economic Development Council: The new City of Chesterfield is a high quality residential community located in prestigious West St. Louis County. The City is comprised of twenty-six square miles of which approximately ten thousand acres are yet to be developed for continued residential and commercial growth. The primary purpose of the Economic Development Council is to attract and solicit, on a selective basis, development that will assist the economic stability of our community while protecting and enhancing a high "Quality of Life" for the residents of Chesterfield. We realize we have a responsibility to our neighbors to manage the commercial, residential and recreational development and growth with equal care and balance so that homeowner values and business investments are continually enhanced. A voice vote was taken with an affirmative result and the motion was declared passed.

### **Finance & Administration Committee**

Councilmember Neiner, Chairperson of the Finance & Administration, stated that a committee meeting is scheduled for September 13, 1988. Mr. Neiner stated that with our new Finance Director and Assistant City Administrator/Personnel Director on board, we are looking forward to making quite a bit of progress concerning establishment of budget/cash flow analysis and personnel systems (pay plan, etc.)

### **Public Health & Safety Committee**

Councilmember Bute, Chairperson of the Public Health & Safety Committee, stated that the Police Commissioners met last week, and they had an election of officers. Mr. Rich Skoff was elected chairman, and Mr. Scott Shearer as secretary.

### **Annexation Committee**

Councilmember Bute stated that with regard to the Raleigh/Givens proposed annexation, a public hearing was held Thursday, September 1, 1988 in order to consider the petition for a

voluntary annexation submitted by Raleigh/Givens. The purpose of this meeting was simply to officially receive the request for annexation and to begin the process of analyzing the Plan of Intent. No decision can be made prior to September 19, 1988.

Councilmember Bute stated that she has two recommendations from the Annexation Committee. The first recommendation to the City Council was that those subdivision located South of Clayton Road be excluded from any further consideration of annexation at this time. The second recommendation to the City Council was that the City of Chesterfield solicit professional land use planning firms to make proposals to develop a Plan of Intent for those areas located along Hwy. 141 and Olive Street Road. The cost of this plan will be paid by the area to be studied.

A motion was made by Councilmember Hartman, seconded by Councilmember Overall that it be resolved that the city of Chesterfield respectfully declines further consideration of annexation requests from areas South of Clayton Road at this time.

Discussion: Councilmember Overall stated that Clayton Road is a natural boundary and South of this road would be simply to far away from our core City to service effectively.

A roll call vote was taken with the following results: Ayes - Fawcett, Neiner, Frank, Hartman, Bute, Overall. Nays - None, Abstain - Hrabko, Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the motion approved, and passed it.

A motion was made by Councilmember Neiner, seconded by Councilmember Frank that the annexation of certain areas to the north and east of the current Chesterfield boundaries may be advantageous to the City of Chesterfield and will be considered at such time as:

1. The findings and recommendations of the current Board of Freeholders study has been completed and voted upon.
2. The completion and submittal to the City Council of a feasibility study to be undertaken by each area petitioning for annexation. The elements to be included in this study will be outlined by the Council at a later date with interested petitioners.

Further, we again state the Council's first concern is to the best interests of the current citizens of Chesterfield. Accordingly, the operations of the City government must be essentially complete and stabilized before City Council will place any annexation petition on the ballot for voter consideration.

Discussion: Mayor Fred Steinbach stated that his number one concern is to take care of current residents of the City of Chesterfield. In order to do so, the City must complete a budge and cash flow analysis. A further concern is the Freeholders situation. Mayor Fred Steinbach has been told by Gene McNary and Wayne Millsap that nay vote taken by the Freeholders will supercede anything done by the City regarding annexation. The Freeholder's plan is scheduled to be voted on June 20, 1989 and if in fact the Freeholders vote is a positive one, then those areas othat we are considering for annexation will be precluded from Chesterfield anyway. Mayor Fred

Steinbach stated that it would be unfair to the people involved in those areas to spend a great deal of money to develop a study to determine cost benefits concerning annexation into Chesterfield. If, infact, the Freeholder's Plan will negate their efforts. Mayor Fred Steinbach stated that he is very much in favor of and intends to recommend at the appropriate time that the City annex some of those areas to the North and to the East of Chesterfield, if the Freeholder's proposal is not approved.

A roll call vote was taken with the following results: Fawcett, Frank, Neiner, Hartman, Overall, Bute. Nays - None. Abstain - Hrabko. Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the motion approved and passed it.

### Discussion on Zip Codes

Councilmember Overall stated that the City has received correspondence from the Post Office and the final result is that the City has scored a victory. Those people that live in the small area that have the 63011 zip code may now use Chesterfield, 63011. All avenues have been exhausted as far as getting the zip code changed.

### **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Michael Herring stated that the City has received bid results on car phones for the City Administrator, Chief of Police and Director of Public Works. There are two firms that provide this service; CyberTel Cellular Telephone and Southwestern Bell. The price is the same: \$29.95 per month. There is a slight difference in the cost of installation and accessories making CyberTel a better bid on the total cost. The City also did a number of reference checks and found that CyberTel checked out very well. In fact, the other cities speak very highly of CyberTel, as far as their service and response time, which is very important. That being the case, City Administrator Herring recommended to the City Council that bids submitted by CyberTel Cellular Telephone on three mobile phones for three vehicles at the cost of \$29.95 per month, per phone be approved.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute to approve the purchase of three mobile phones for three vehicles at the cost of #29.95 per month, per phone. A voice vote was taken with an affirmative result and the motion was declared passed.

City Administrator Michael Herring stated that the next thing on the agenda was the received bids for car lease. An investigation has been conducted on what the market will offer for the leasing of three vehicles for each of our three department heads. (Chief of Police, Director of Public Works, and Director of Planning & Zoning) The lowest bid that the City received (for a 1988 Pontiac Bonneville) was from Manchester Leasing co. at a monthly rate of \$305.00. This has been compared to a monthly rate submitted by Felco Auto Leasing for #311.25 and \$406.93 from Enterprise Leasing for the same vehicle. These are all 36 month leases ,with no obligations at the end of 36 months, with options to purchase at 12, 24 and 36 months.

A motion was made by Councilmember Hartman, seconded by Councilmember Overall to lease three 1988 Pontiac Bonneville automobiles at \$305.00 per month, per vehicle from Manchester

Leasing Co. A voice vote was taken with an affirmative result and the motion was declared passed.

City Administrator Michael Herring stated that the City has solicited bids for Public Works Vehicles. As stated by Councilmember Fawcett, the vehicles have been ordered as approved by the Public Works Committee. The low bid was submitted by Jim Butler Chevrolet for two 1989, 4-wheel drive 3/4 ton pick-up trucks for a total price of \$36,958.36. Councilmember Fawcett stated as public information, the bid price of \$36,958.36 included a salt spreader and a snow plow. All the trucks are fully-equipped. Mr. Herring recommended that the bid be awarded to Jim Butler Chevrolet.

A motion was made by Councilmember Fawcett, seconded by Councilmember Overall to accept the proposal from Jim Butler Chevrolet for two 1989, 4 wheel drive 3/4 ton pick-up trucks.

Discussion:

Councilmember Fawcett stated that the City could accept delivery of trucks a month earlier due to the fact that these orders were placed prior to this meeting. City Administrator Michael Herring commented on the fact that the bids received from the vehicles ranged from a low of \$36,958.26 to a high of \$43,786.00 and as Councilmember Fawcett explained, they are fully equipped. The next part of the bid is for three, 1989, 2 1/2 ton dump trucks, fully equipped.

A voice vote was taken with an affirmative result and the motion was declared passed.

Ten different proposals have been received ranging with a low bid submitted by Art Haack Buick-GMC of \$128,820 to a high of \$138,704.67 from Broadway Ford Truck Sales. These bids have all been reviewed by the Public Works Director, Bill Hawn, and have also been reviewed by the Public Works Committee. Mr. Herring recommended that the bid be awarded to Art Haack Buick-GMC.

A motion was made by Councilmember Fawcett, seconded by Councilmember Overall to accept the proposal from Art Haack Buick-GMC for \$128,820 for three, 1989, 2 1/2 ton dump trucks. A voice vote was taken with an affirmative result and the motion was declared passed.

City Administrator Michael Herring stated that Councilmember Frank and he have been working extensively for the past two months on soliciting proposals from auditing firms and then began the process of reviewing these proposals. They have been joined in the last two weeks by Ms. Jan Kluba, Director of Finance, who has been adding her expertise in reviewing these proposals. The selection has been narrowed down to 3 from the 11 proposals received. The final three have been reviewed in detail with individual meetings with each firm to discuss proposals and check references, etc. The three finalists were Price Waterhouse which submitted a bid of \$26,500 for three years of auditing services; Rubin, Brown and Gornstein who bid \$21,400 for three years of auditing services, and KPMG Peat Marwick who submitted a total bid of \$17,500 for the three years of auditing services. Mr. Herring recommended that the contract be awarded to KPMG Peat Marwick.

A motion was made by Councilmember Frank, seconded by Councilmember Bute to approve the proposal submitted by KPMG Peat Marwick for auditing services for three years.

Discussion: Councilmember Hrabko asked the City Administrator if the contract with KPMG is for a 3 year contract, the amount disbursed each year, and if the City can commit to funds for a three year contract. The first year the to the city is \$1,500, second yr. is \$7,500 and the third year is \$8,500. The City can commit to these funds. A question was raised by Councilmember Hrabko as to whether local firms were contacted for proposals. Councilmember Frank stated that the 10 big firms were contacted along with a local firm. The criteria was to contact companies with a \$300 million annual, one of the big ten or any company that is auditing the top ten population municipalities in St. Louis. There was a request from a Chesterfield Company. The thought in mind was to have a national firm, who in the future could help to secure a revenue bond for the City, if necessary and would have the credibility to do so. The City Administrator Herring stated that all references were checked and Peat Marwick was very highly recommended. Councilmember Frank explained that most of the auditing firms submitted bids as a loss-leader. They want the City of Chesterfield for their account.

A roll call vote was taken with the following results: Ayes - Fawcett, Bute, Neiner, Overall, Hartman, Frank. Nays - Hrabko. Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the motion approved and passed.

City Administrator Michael Herring stated that the City is in the process of having a proposal prepared which includes bid specifications that can be used to get bid proposals from a variety of firms for a first class sound system for the Council Chambers.

City Administrator Michael Herring stated that the City has received a request for a Liquor-Business License from Broadmoor Condominium Association for two days in September for a Homeowners Association BBG and Garage sale to replace funds for furnishings at the Broadmoor Recreation Building.

A motion was made by Councilmember Overall, seconded by Councilmember Hartman to grant the Broadmoor Conominium Association a two day liquor and business license. A voice vote was taken with an affirmative result and the motion was declared passed.

## **LEGISLATION**

Bill #173      AN ORDINANCE PROHIBITING TRUCKS AND BUSES FROM ENTERING CITY PARKS

Discussion: Councilmember Fawcett that the trucks that are barred from our City parks, when we do have City parks, are trucks that are over 3/4 ton pick-ups. People who own 3/4 ton pick-up trucks are using them for personal use are welcome to come into our parks.

City Administrator Michael Herring stated that the Ordinance #173 does not apply to vehicles that have received prior permission to enter the parks.

A motion was made by Councilmember Fawcett, seconded by Councilmember Overall for a first

reading of Bill #173.

A motion was made by Councilmember Fawcett to amend the previous motion to read the Bill #173 in full. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #173 was read in full for the first time.

A motion was made by Councilmember Fawcett, seconded by Councilmember Overall for a second reading of Bill #173. A roll call vote was taken with the following results: Ayes - Fawcett, Hrabko, Frank, Neiner, Bute, Overall, Hartman. Nays - None, Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the Bill #173 approved, passed it, and it became ORDINANCE #183.

Bill #186      AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING  
ORDINANCE BY CHANGING THE BOUNDARIES OF THE "NU"NON-  
URBAN DISTRICT TO R-1A 22,000 SQUARE FOOT RESIDENTIAL  
DISTRICT OF CERTAIN LAND AS PROVIDED HEREIN

A motion was made by Councilmember Hrabko, seconded by Councilmember Overall for a first reading of Bill #186 with the condition that the conditions attached by the Planning Commission also be adopted in this ordinance with the addition of the statement that Forest Crest Drive should be a thru street in the development. A voice vote was taken with an affirmative result and the Bill #186 was read for the first time.

A motion was made by Councilmember Fawcett, seconded by Councilmember Bute for a second reading of Bill #186. A roll call vote was taken with the following results: Ayes - Hrabko, Fawcett, Neiner, Frank, Overall, Hartman, Bute. Nays - None. Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the Bill #186 approved, passed it, and it became ORDINANCE #184.

Bill #178      AN ORDINANCE AUTHORIZING AND GIVING PRELIMINARY  
APPROVAL TO A PLANNED ENVIRONMENTAL UNIT DEVELOPED OF A  
TRACT OF LAND LOCATED IN THE R-1A AND R-3 RESIDENTIAL  
DISTRICTS, SUBJECT TO CONDITIONS. (P.C. 2 AND 3-88 BORMAN  
DEVELOPMENT COMPANY)

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute to table #178 and refer to the Planning/Economic Committee for further review. A voice vote was taken with an affirmative result and the motion was declared passed.

Bill #142      AN ORDINANCE PERTAINING TO THE ACCEPTANCE OF SUMMER  
RIDGE DRIVE, DELTA RIDGE COURT, TRAPP RIDGE COURT, YORK  
RIDGE COURT, CEDARMILL DRIVE AND DENTON RIDGE COURT AS  
PUBLIC STREETS

A motion was made by Councilmember Fawcett, seconded by Councilmember Hrabko for a first reading of Bill #142. A voice vote was taken with an affirmative result and the motion was

declared passed. Bill #142 was read for the first time.

A motion was made by Councilmember Fawcett, seconded by Councilmember Overall for a second reading of Bill #142. A roll call vote was taken for passage and approval of Bill #142 with the following results: Ayes - Hrabko, Overall, Bute, Hartman, Frank, Neiner, Fawcett. Nays - None. Absent - Flachsbart. Whereupon Mayor Fred Steinbach declared the Bill #142 approved, passed it, and it became ORDINANCE #185.

### **COMMUNICATIONS & PETITIONS**

Mr. Kevin Carlie, a resident of Ladue trails, spoke to Council concerning the proposed Borman Development. He questioned the need for Forest Crest Drive to be a through street and asked the Council to require the developer to access this construction site only from the east.

Ms. Judy Kaplan, a resident of Ladue Trails, addressed the issue of brick homes and rear entry garages. According to Mrs. Kaplan, the brick on the homes and a rear entry garages would be consistant to the 500 homes in the area. Councilmember Hrabko inquired as to the sq. footage of the lots and the sale price of the homes. The minimum lot size is 18,600 sq. ft. and the starting price is \$280,000.

Mayor Fred Steinbach apologized for not adequately informing the people in the general area of the Borman Development , and he also stated that in the future, the City will try to develop a format whereby citizens are informed of potential developments in their area.

Councilmember Hrabko stated that the concerns of the citizens adjacent to the Borman Development can be brought up at a meeting being held on Wednesday, September 7 at 5:00 p.m. by the Planning/Economic Development Committee of City Council.

### **ADJOURNMENT**

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett that the meeting be adjourned. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The meeting was adjourned at 8:30 p.m.

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President Pro Tem

ATTEST:

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City Clerk

