City of Chesterfield

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
SEPTEMBER 16, 1996

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	None
Councilmember Barry Flachsbart	
Councilmember Colleen Hilbert	
Councilmember Larry Grosser	
Councilmember Barry Streeter	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Mike Cullen	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Boy Scout Troop No.848 from Highcroft Ridge School: David Schwartz, Chad Lamprecht, Dustin LeCave, Adam Weintrop, Michael McQuinn, Jeff Daniels. Also in attendance was Troop Leader Tom Smyka.

Reverend Joseph Pins from Ascension Catholic Church led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the August 19, 1996 Public Hearing were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Grosser, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The minutes from the August 19, 1996 City Council meeting were 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 and the motion was declared passed.

Mayor Leonard entertained a motion to amend the agenda for the purpose of permitting the first and second reading of Bill No.1299 regarding the installation of fire hydrants to be considered for adoption. A motion was made by Councilmember Politte, seconded by Councilmember Cullen, to amend the agenda. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Jack Leonard presented a Proclamation to the Chesterfield Explorer Post No. 9270 in recognition of the Top National Honors awards they received at the 1996 National Law Enforcement Explorer Conference held at Flagstaff, Arizona in June. Chief of Police Ray Johnson and Sgt. Chris Connelley commended the Scouts for their accomplishment.

Chief of Police Johnson presented a Commendation to Lt. Ed Nestor, who was Commander of Community Policing for seven years. The Commendation represents duly deserved recognition of Lt. Nestor's many accomplishments in this area. City Councilmembers also congratulated and commended Lt. Nestor on his achievements.

Mayor Leonard placed the name of Ms. Carol Kenney in nomination for re-appointment to the Planning Commission. A motion was made by Councilmember Hilbert, seconded by Councilmember Hurt, to remove the issue from the table. This motion passed unanimously. A motion was then made by Councilmember Hilbert, seconded by Councilmember Cullen , to approve the re-appointment of Ms. Kenney. A roll call vote was taken with the following results: Ayes - Hilbert, Hurt, Politte, Cullen. Nays - Flachsbart, Grosser, Streeter, Tilley. Mayor Leonard could not break the tie vote because he had placed Ms. Kenney's name in nomination. Mayor Leonard stated that he will pursue other applicatants to fill this position.

Mayor Leonard next placed the name of Mr. Robert Lang in nomination as a member of the Public Works Board of Variance. A motion was made by Councilmember Politte, seconded by Councilmember Hurt, to appoint Mr. Lang to the Public Works Board of Variance. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Mr. Lang's term will expire Aug. 2, 2001.

Mayor Leonard next placed the names of Ms. Jade Bute and Dr. George Goodman for re-appointment to the Chesterfield Arts Commission. A motion was made by Councilmember Politte, seconded by Councilmember Grosser, to approve the re-appointment of Ms. Bute to the Chesterfield Arts Commission. 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, to approve the re-appointment of Dr. Goodman to the Chesterfield Arts Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Their terms will expire 8/1/99.

COMMUNICATIONS AND PETITIONS

Ms. Jade Bute, who resides at 1510 Walpole, expressed her support for a compromise on the balloon ordinance, but would be supportive of the elimination of balloons.

Ms. Nancy Greenwood, who resides at 14441 Corallin, expressed her opposition to balloon advertising and supports the elimination of balloons in the community.

Mr. Dwayne Holst, representative from Sunrise Construction Company, expressed eagerness on behalf of his company to do business with the City of Chesterfield regarding asphalt overlays.

Ms. Betty Hathaway, who resides at 112 High Valley Drive, expressed her desire for Mayor Leonard to consider the appointment of Mr. Maurice Allen to the Planning Commission as a representative from Ward I.

COUNCIL COMMITTEE REPORTS

Planning and Zoning Committee

Councilmember Barry Streeter, Chairperson of the Planning and Zoning Committee, reported that Bill Nos. 1294 - 1298 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Streeter next reported that some members of City Council had expressed their concern with regard to the appearance of balloons that are used for business advertising. Councilmember Streeter noted that it was the consensus of Council to refer this matter to the Planning and Zoning Committee with direction to also consider the recommendation that had been made by the Zoning and Subdivision Ordinance Committee of the Planning Commission.

Councilmember Streeter announced that the next meeting of this Committee has been scheduled for September 18 at 7:30 p.m.

Public Health and Safety Committee

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill Nos. 1291 and 1292 will be read for the first time under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for October 14 at 7:30 a.m.

Public Works/Parks Committee

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that sufficient funds are available in the budget for the exterior of the Public Works facility to be painted. The Public Works/Parks Committee unanimously recommends the approval of a change order to accommodate the painting of the new Public Works facility at a cost of $20,292. A motion was made by Councilmember Politte, seconded by Councilmember Streeter, to approve the change order. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that Bill Nos. 1262, 1286, 1290, 1293 and 1299 will be considered for adoption under the Legislation portion of the agenda.

Finance and Administration Committee

Councilmember Colleen Hilbert, Chairperson of the Finance and Administration Committee, announced that the next meeting of this Committee has been scheduled for September 18, 1996, at 5:30 p.m.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that bids were recently sought and evaluated for the purchase of a voice mail system, compatible with our existing AT&T telephone equipment. A broad-based committee had been established to evaluate these proposals, to determine the system that would best meet the collective needs at the Government Center. With this in mind, Mr. Herring joined with Director of Finance and Administration Jan Hawn in recommending approval of the purchase of CallWare Technologies Voice Mail System from Systems and Software, Inc., at a total purchase price of $11,510. This is well within the $25,000 budgeted for this purchase. It was noted that additional purchases will be required in order to fully install this system. As a result, the remaining funds within this budget category should be sufficient to cover this entire purchase. A motion was made by Councilmember Grosser, seconded by Councilmember Tilley, to approve the purchase of CallWare Technologies Voice Mail System from Systems and Software, Inc., at a total purchase price of $11,510. 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 asphalt overlays on several streets located throughout the City of Chesterfield. Based upon the bids submitted, Mr. Herring joined with Director of Public Works/City Engineer Mike Geisel and Director of Finance and Administration Jan Hawn, in recommending that the contract be awarded to the low bidder, Sunrise Construction, in an amount not to exceed $161,870.28. Even though the budget had originally estimated overlays to cost $100,000, due to savings elsewhere, the total budget for capital street improvements has sufficient funding to cover this total expense. A motion was made by Councilmember Politte, seconded by Councilmember Flachsbart, to approve the contract to Sunrise Construction, in an amount

not to exceed $161,870. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel is proposing acceptance of the low bid submitted by J. H. Berra Construction Company, totaling $70,200, for work associated with the concrete paving of the Public Works Drive, running from Chesterfield Airport Road to the new Public Works Maintenance Facility. Funds to cover this expense were rolled forward from savings realized with last year's capital construction contracts. Mr. Herring and Director of Finance and Administration Jan Hawn joined with Mr. Geisel in recommending approval of the bid submitted by J. H. Berra Construction Company, totaling $70,200. A motion was made by Councilmember Politte, seconded by Councilmember Grosser, to approve the contract with H. Berra Construction Company, in an amount of $70,200. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. It was noted that an Open House for the new facility will take place upon completion of the project.

Mr. Herring next reported that bids were recently sought for the application of slurry seal material on several streets within the City of Chesterfield. Having reviewed the bids submitted, it is Mr. Geisel's recommendation that the second low bidder be awarded this contract. Along with Director of Finance and Administration Jan Hawn, Mr. Herring joined with Mr. Geisel in recommending that the contract for this project be awarded to Missouri Petroleum, totaling $98,404. A specific allocation of $100,000 is contained within the current budget to cover this expense. A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, to approve the contract with Missouri Petroleum, totaling $98,404 for slurry seal applications. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

There was no new business.

LEGISLATION

BILL NO. 1262 CREATES THE "CHESTERFIELD TRANSPORTATION COMMISSION" (**SECOND READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for a second reading of Bill No.1262. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1262 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1262, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1262 approved, passed it and it became **ORDINANCE NO. 2031.**

BILL NO. 1286 PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN SOMERSET SUBDIVISION IN THE CITY OF CHESTERFIELD (**SECOND READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for a second reading of Bill No.1286. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1286 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1286, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1286 approved, passed it and it became **ORDINANCE NO. 2032.**

BILL NO. 1290 APPROVES THE INSTALLATION OF FIRE HYDRANTS AT TWIN ESTATES AT MEADOWBROOK LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for the first reading of Bill No.1290. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1290 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Grosser, for a second reading of Bill No.1290. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1290 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1290, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1290 approved, passed it and it became **ORDINANCE NO. 2033.**

BILL NO. 1293 APPROVES THE INSTALLATION OF FIRE HYDRANTS AT GREYSTONE PHASE 2 LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for the first reading of Bill No.1293. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1293 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for a second reading of Bill No.1293. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1293 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1293, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1293 approved, passed it and it became **ORDINANCE NO. 2034.**

BILL NO. 1299 APPROVES THE INSTALLATION OF FIRE HYDRANTS AT BROOK HILL ESTATES PLAT 3 LOCATED WITHIN THE CITY OF CHESTERFIELD (**FIRST AND SECOND READING** - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Politte, seconded by Councilmember Hilbert, for the first reading of Bill No.1299. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1299 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Tilley, for a second reading of Bill No.1299. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1299 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1299, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1299 approved, passed it and it became **ORDINANCE NO. 2035.**

BILL NO. 1291 AMENDS ORDINANCE NO. 137 AS AMENDED BY REPEALING SECTION 28 OF ORDINANCE 534 IN ITS ENTIRETY AND REPLACING THE SAME RELATIVE TO THE LENGTH OF TIME NECESSARY TO FILE AN APPEAL TO DISCIPLINARY ACTION (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for the first reading of Bill No.1291. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1291 was read for the first time.

BILL NO. 1292 AMENDS ORDINANCE NO. 35, SCHEDULE IX OF THE ORDINANCES OF THE CITY OF CHESTERFIELD BY ADDING PROVISIONS THERETO TO PROVIDE FOR NO PARKING ON A PORTION OF SCHOETTLER VALLEY DRIVE (**FIRST READING** - PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, for the first reading of Bill No.1292. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1292 was read for the first time.

LEGISLATION - PLANNING COMMISSION

BILL NO. 1294 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF THE "NU" NON-URBAN DISTRICT AND "FPNU" FLOOD PLAIN NON-URBAN DISTRICT TO "R-1" ONE ACRE RESIDENCE DISTRICT AND "FPR-1" FLOOD PLAIN "R-1" ONE ACRE RESIDENCE DISTRICT FOR A 5.3 ACRE TRACT OF LAND LOCATED ON THE EAST SIDE OF KEHRS MILL ROAD, SOUTH OF WILDHORSE CREEK ROAD (P.Z. 20-96 HACKETT CUSTOM BUILDERS, INC. -THE COURTYARD AT KEHRS MILL) (PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No.1294. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1294 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Tilley, for a second reading of Bill No.1294. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1294 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1294, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1294 approved, passed it and it became **ORDINANCE NO. 2036**.

BILL NO. 1295 AMENDS CITY OF CHESTERFIELD ORDINANCE NUMBER 1124 AUTHORIZING A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE "R-6A" 4,500 SQUARE FOOT RESIDENCE DISTRICT FOR A 7.4 ACRE TRACT OF LAND LOCATED ON THE SOUTHEAST CORNER OF CHESTERFIELD PARKWAY NORTH AND PEACH HILL LANE (P.Z. 31-95 PREMIER HOMES -CAMBRIDGE COVE) (PLANNING COMMISSION AND PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No.1295. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1295 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Tilley, for a second reading of Bill No.1295. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1295 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1295, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1295 approved, passed it and it became **ORDINANCE NO. 2037.**

BILL NO. 1297 AMENDS ST. LOUIS COUNTY ORDINANCE NUMBER 13,756 WHICH GOVERNS THE "C-8" PLANNED COMMERCIAL DISTRICT DEVELOPMENT TO BE LOCATED ON THE NORTH SIDE OF HIGHWAY 40, EAST OF CHESTERFIELD PARKWAY NORTH (P.C. 235-87 CHESTERFIELD VILLAGE, INC.) (PLANNING AND ZONING COMMITTEE RECOMMEND APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No.1297. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1297 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Hilbert, for a second reading of Bill No.1297. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1297 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1297, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1297 approved, passed it and it became **ORDINANCE NO. 2038.**

BILL NO. 1298 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURE, WARRANTY DEED, AND ESCROW AGREEMENT FOR CAMBRIDGE COVE SUBDIVISION, LOCATED ON THE SOUTHEAST CORNER OF CHESTERFIELD PARKWAY NORTH AND PEACH HILL LANE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Streeter, seconded by Councilmember Flachsbart, for the first reading of Bill No.1298. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1298 was read for the first time.

A motion was made by Councilmember Streeter, seconded by Councilmember Cullen, for a second reading of Bill No.1298. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No.1298 was read for the second time. A roll call vote was taken for passage and approval of Bill No.1298, with the following results: Ayes - Flachsbart, Hilbert, Grosser, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill No.1298 approved, passed it and it became **ORDINANCE NO. 2039**.

ADJOURNMENT

A motion was made by Councilmember Flachsbart, seconded by Councilmember Grosser, 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 8:20 p.m.

Jack Leonard

Mayor Jack Leonard

ATTEST:

Martha L. DeMay

Martha L. DeMay, City Clerk