

RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT
922 ROOSEVELT PARKWAY, OCTOBER 1, 1990

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 Betty Hathaway
Councilmember Nancy Greenwood
Councilmember June Schroeder
Councilmember Jade Gardner Bute
Councilmember Dan Hurt
Councilmember Alan Politte
Councilmember Linda Tilley

Councilmember Dick Hrabko

The Pledge of Allegiance was led by Cub Scout Troop #597 from Ascension School: Tim McKittrick, Martin Clifford, Eric Rudroff, Bobby Wacker, Ryan Picarella and Bobby Bets. Also in attendance was Troop Leader Pat McKittrick.

Reverend Carlton Norton from St. John's United Church of Christ led the City Council in prayer.

The minutes of the September 17, 1990, meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard issued a Proclamation in recognition of the Greater St. Louis Marching Band Festival, which has been scheduled for October 27, 1990, at Busch Stadium.

Mayor Leonard next reported on the success of the recently held Mayor/Council Retreat at Innsbrook on September 29 - 30, 1990. The Mayor announced the planning process by which the goals and aspirations set forth by the Mayor and Council at this retreat can be achieved and requested citizen input during the planning process. A press release detailing the planning process had been previously distributed to members of the press (See Attachment A).

COUNCIL COMMITTEE REPORTS

Planning/Economic Development Committee

Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, reported that Bill #507 and #508 will be considered for adoption under the Legislation portion of the agenda. Councilmember Hathaway recognized City Administrator Herring to discuss Bill #507. Mr. Herring explained that Bill #507 formally states the intention of the City of Chesterfield to propose to the Boundary Commission Chesterfield's continued interest in annexing land to the east of our community. This area will include the institutions of United Hebrew, Maryville College and St. Luke's Hospital, as well as the surrounding residential areas. Mr. Herring next reported that since Bill #507 had been placed on the agenda, voluntary annexation petitions have been received by Maryville College, St. Luke's Hospital and United Hebrew Congregation. A press release regarding this voluntary annexation was distributed earlier to members of the press (See Attachment B). In accordance with State law, a Public Hearing has been scheduled for October 15, 1990, at 6:30 P.M. in the Council Chambers to allow the petitioners to explain to the Mayor and Council their desire to become part of our City. For fourteen (14) days following the Public Hearing, citizens of Chesterfield will have the opportunity to express their comments concerning these voluntary annexation petitions. Mr. Herring reminded those in attendance that the actions on the part of the City with regard to Bill #507 and the scheduled Public Hearing for the voluntary annexation, do not preclude the possibility of continued discussion and negotiation with Town and Country and Creve Coeur.

Councilmember Hathaway next reported that a protest petition has been received by the City of Chesterfield from residents requesting a Public Hearing with regard to P.Z. 13-90, Maurice L. Hirsch, Jr. A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, to refer this petition to the Planning Commission. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hathaway announced that at the next Planning Commission scheduled for October 8, 1990, at 5:30 P.M., the Chief Planner for the City of Germantown will be in attendance to discuss the planning process that has taken place in his community. In addition, Councilmember Hathaway announced that at the 7:00 P.M. Planning Commission meeting, one of the items placed on the

agenda concerns the newly-adopted Commercial Services Procedure. Councilmember Hathaway urged everyone to attend both the 5:30 P.M. and the 7:00 P.M. meetings.

Councilmember Hathaway announced the next meeting of this Committee has been scheduled for October 3, 1990, at 5:30 P.M.

Finance and Administration

Councilmember June Schroeder, Chairperson of the Finance and Administration Committee, announced the next meeting of this Committee has been scheduled for October 8, 1990, at 7:30 A.M.

Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, stated as information that the Home Builders Association has requested that the City permit winter paving of subdivision streets. This matter is scheduled to appear on the agenda of the next meeting of this Committee scheduled for October 4, 1990.

Councilmember Bute next stated that the Missouri Department of Conservation have recently designated a new urban forester. This individual has reviewed the City's right-of-way tree policy and recommended that oak trees be removed from the tree listing. In addition, he placed several other varieties of trees on the list as approved street trees. These additions were approved by the Committee. A copy of these amendments has been sent to the Planning Commission.

Councilmember Bute next reported that the Committee had voted unanimously to reaffirm the City's existing policy with regard to concrete curing time. This policy is in line with a similar policy enforced by the St. Louis County Highway Department. The City will continue to open streets to traffic after seven (7) days due to the concrete strength test results and permit residents to access their driveways after seventy-two (72) hours.

Councilmember Bute announced the next meeting of this Committee has been scheduled for October 4, 1990, at 7:30 A.M.

Public Health and Safety

Councilmember Dan Hurt, Chairperson of the Public Health and Safety Committee, reported that Mr. Larry Grosser, newly-elected Chairperson of the Board of Police Commissioners, announced

that the police officer hiring process has been completed and the Police Department now has fifty-six (56) officers.

Councilmember Hurt next reported that due to the fact that many businesses may not be aware of the City's sign requirements/restrictions, the Committee unanimously recommended that City Council authorize Mr. Herring to send a letter to all businesses located within the City of Chesterfield advising them of the sign ordinance and the restrictions contained therein. In addition, the letter is to state that no signs can be erected without a permit obtained from the Department of Planning/Economic Development.

Councilmember Hurt next reported that Councilmember Tilley has met with representatives from the Parkway and Rockwood School Districts with regard to earthquake preparedness and was impressed with the plans they have established. Councilmember Hurt stated that Councilmember Tilley had expressed her desire to have informative meetings for all City subdivision trustees concerning earthquake preparedness within the next month and then follow-up with a series of town-hall meetings for all citizens. Dates will be determined by the availability of facilities within the community.

Councilmember Hurt next reported that the Committee voted unanimously to recommend the upgrade of one (1) police officer position to a police patrol sergeant. Establishment of this position will reinstate a total of five (5) first line-supervision personnel in the Department which has been lacking since the assignment of one (1) sergeant to the Metropolitan Enforcement Group (MEG unit). The additional cost for this upgrade for the rest of the budget year, effective October 1, 1990, will be \$727.00. Available funds are already in the current budget. A motion was made by Councilmember Hurt, seconded by Councilmember Bute, to upgrade this position. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced the next meeting of this Committee has been scheduled for October 18, 1990, at 5:30 P.M.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring recognized City Attorney Doug Beach to explain Bill #509 which was scheduled for consideration under the Legislation portion of the agenda. City Attorney Beach stated that State statutes require that anyone seeking to bring a claim of damages against the City of Chesterfield, (3rd Class City), must give the City notice of their intent to file a lawsuit within ninety (90) days. This requirement has been enforced by the City's insurance claims administrators. It has been recommended by them, however, that this provision also be stated within our own ordinances. City Attorney Beach has drafted such an ordinance, which parrots the State statutes.

Mr. Herring next discussed the rewiring of the Council Chambers to allow for more effective slide or

video presentations in the Chambers. It has been recommended by Director of Planning/Economic Development Jerry duepner and City Clerk Marty DeMay that a contract be entered into with Sachs Properties to place five (5) rows of lights in the Council Chambers on one switch and the other two (2) rows on another switch. Estimated cost for this project will not exceed \$1,000.00. Finance Director Jan Kluba indicates there are sufficient funds to do the rewiring project via an intradepartmental transfer from Miscellaneous Contractual Services Account to the Professional Services, Buildings and Grounds Account. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to authorize Mr. Herring to enter into a contract with Sachs Properties in order to have this rewiring project accomplished. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids have been received for construction of handicap-access ramps located within the Portico Drive area near Green Trails Elementary School. The cost of this project will be funded entirely through the use of Community Development Block Grant Funds. The low bidder for this project was D. Bennish Construction Company, Inc., who submitted a total bid price of \$29,049.95. According to Assistant City Administrator/Personnel Director Brenda Love Collins, this is well within the amount budgeted for this project (\$32,750.00) through the CDBG program. Mr. Herring joined with Staff in recommending that City Council approve award of the contract to low bidder, D. Bennish Construction Company, Inc., for a total price of \$29,049.95. A motion was made by Councilmember Bute, seconded by Councilmember Tilley, to award the contract to D. Bennish Construction Company, Inc. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

NEW BUSINESS

Councilmember Hathaway announced that the next meeting of the Chesterfield Valley Steering Committee has been scheduled for October 10, 1990, at 5:30 P.M.

LEGISLATION

**BILL #509AN ORDINANCE ESTABLISHING A NOTICE OF CLAIM PRIOR TO THE
INSTITUTION OF SUIT FOR DAMAGES OR INJURIES WHICH HAVE
OCCURRED ON PROPERTY OWNED OR CONTROLLED BY THE
CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Schroeder, for the first reading of Bill #509. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #509 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #509. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #509 was read for the second time. A roll call vote was taken for passage and approval of Bill #509, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. (Councilmember Hrabko was absent) Whereupon Mayor Leonard declared Bill #509 approved, passed it and it became ORDINANCE #505.

LEGISLATION - PLANNING COMMISSION

BILL #507AN ORDINANCE DECLARING THE INTENTION OF THE CITY OF CHESTERFIELD TO ANNEX AN UNINCORPORATED AREA OF LAND IN ST. LOUIS COUNTY, MISSOURI, OF AN AREA THAT IS CONTIGUOUS TO THE CITY OF CHESTERFIELD ALONG ITS EASTERN BORDER

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #507. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #507 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, for a second reading of Bill #507. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #507 was read for the second time. A roll call vote was taken for passage and approval of Bill #507, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. (Councilmember Hrabko was absent) Whereupon Mayor Leonard declared Bill #507 approved, passed it and it became ORDINANCE #506.

BILL #508AN ORDINANCE FOR THE VACATION OF AN EASEMENT FOR CONWAY RIDGE SUBDIVISION LOTS 5 AND 6 EAST OF WHITE ROAD AT RAINY LAKE DRIVE

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for the first reading of Bill #508. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #508 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #508. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #508 was read for the second time. A roll call vote was taken for passage

and approval of Bill #508, with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #508 approved, passed it and it became ORDINANCE #507.

ADJOURNMENT

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, that the meeting be adjourned. A roll vote was taken with the following results: Ayes - Hathaway, Greenwood, Schroeder, Bute, Hurt, Politte and Tilley. Nays - None. The motion passed. The meeting was adjourned at 7:57 P.M.

Mayor Jack Leonard

ATTEST:

Martha L. DeMay, City Clerk