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**RECORD OF PROCEEDING**

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, ON OCTOBER 2, 1989

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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 Fred Steinbach  
Councilmember Betty Hathaway  
Councilmember Barry Flachsbart  
Councilmember June Schroeder  
Councilmember Jade Gardner Bute  
Councilmember Dan Hurt  
Councilmember Doug Hartman  
Councilmember Dick Hrabko  
Councilmember Charlie Fawcett

None

The Pledge of Allegiance was led by Webelo Den 804 from Chesterfield Day School: Aaron Liess, Ben Liess, Wes Clayton, Abhik Roy, Dan Elkin, and Jason Kaplan. Also in attendance was Den Leader Gary Liess.

Rabbi Aaron Winter from Tpheris Israel Chevra Kadisha led the City Council in prayer.

**APPROVAL OF THE MINUTES**

The minutes of the September 18, 1989, meeting were submitted for approval. A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

**INTRODUCTORY REMARKS - MAYOR FRED STEINBACH**

Mayor Steinbach announced that Marge Schramm, President of the St. Louis County Municipal League, had appointed Councilmember Jade Gardner Bute to serve on the St. Louis County Municipal League Transportation Committee. This Committee will monitor the activities involving all forms and methods of transportation affecting the cities of St. Louis County and make recommendations to the Executive Board regarding issues demanding action by the St. Louis County Municipal League.

Mayor Steinbach next submitted the name of Carl W. Glaser, Ward IV, to be placed in nomination to serve a two (2) year term on the Public Works Board of Variance. On a motion

by Councilmember Fawcett, seconded by Councilmember Hrabko, Council voted unanimously to affirm this nomination.

Mayor Steinbach stated that the International City Management Association (ICMA) is commemorating the Seventy-Fifth Anniversary of the establishment of the first professional city management position. The Missouri City Management Association is promoting this Anniversary this year by recommending the adoption of a Resolution by each municipality in Missouri which has established a city manager/administrator form of government. Mayor Steinbach proposed Resolution #67 be adopted in honor of this Seventy-Fifty Anniversary. A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, to approve Resolution #67. A voice vote was taken with an affirmative result and the motion was declared passed. Resolution #67 was approved and adopted by City Council. (See attached).

Mayor Steinbach next presented a Proclamation in honor of Fire Prevention Week (October 8 - 14, 1989) to Chief Silvernail of the Ballwin Fire Protection District and Inspector Roger Morris representing the Chesterfield Fire Protection District and commended them for their fine service to the community.

Mayor Steinbach introduced Resolution #68 which pertains to Industrial Revenue Bonds for the River Valley Apartment complex. These bonds had been previously issued by the City of University City before the City of Chesterfield was incorporated. A motion was made by Councilmember Hathaway, seconded by Councilmember Schroeder, to approve Resolution #68. A voice vote was taken with an affirmative result and the motion was declared passed. Resolution #68 was approved and adopted by City Council. (See attached)

## **COUNCIL COMMITTEE REPORTS**

### **Planning and Economic Development**

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, reported that a protest notice has been submitted on Bill #355, P.Z. 18-89, Charles Liebert, to the City of Chesterfield on September 14, 1989. After signatures have been validated, Bill #355 will be referred to the Planning Commission for a report. This report will then be submitted to the Planning and Economic Development Committee for a public hearing within the near future.

Councilmember Hrabko discussed Bill #'s 361, 362, 363, 364, and 367, which are scheduled for consideration later in the meeting.

Councilmember Hrabko next reported that Bill #361, which pertains to amended PEU Ordinance 9321 for Westfield Farms Subdivision, #362 and #363, which pertains to boundary changes of the commercial district P.Z. 26-89, Midland-Capitol Properties II, Bill #364, which deals with the approval of a minor subdivision plat for the site of Barnes Retirement Center (P.C. 36-88, Chesterfield Pointe), and Bill #367, which pertains to the repealing of Ordinance #336 and creating the Swingley Ridge Trust Fund, will be considered for adoption later on in the agenda under the Legislation section. Both Bill #'s 362 and 363 will be amended to reflect the change on Page 3 Section 4G to read from "thirty (30) feet to twenty-six feet" as well as the conditions

submitted by the Planning Commission. The Committee recommends approval of the proposed legislation.

Councilmember Hrabko stated that a request for vacation of easement has been filed by the Stonebriar Development Corporation. A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, to refer this matter to the Staff. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember announced the next meeting of his Committee will be held October 4, 1989, at 5:30 P.M. and a Public Hearing will be held at 6:00 P.M. dealing with the Gerald Kerr Development on Clayton Road.

### **Public Works and Parks**

Councilmember Bute, Chairperson of the Public Works and Parks Committee reported that Bill #366, which deals with the installation of fire hydrants in the City of Chesterfield, will be considered for adoption later in the agenda under the Legislation section. The Committee recommends approval of this bill.

Councilmember Bute announced the next meeting of her Committee will be held October 19, 1989, at 5:30 P.M.

### **Public Health and Safety**

Councilmember Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill #365, which repeals Ordinance #58 and substitutes a new ordinance relating to the public consumption of alcohol, will be considered for adoption under the Legislation portion of the agenda. The Committee recommends approval of this legislation.

Councilmember Flachsbart announced the next meeting of his Committee will be October 23, 1989, at 5:45 P.M.

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

City Administrator Herring reported that Gourmet, Etc., Inc., located at 86 Clarkson Centre, has requested a liquor license to sell all kinds of intoxicating liquor in the original packages. The City of Chesterfield requires that consumption not be allowed on the premises. The application for the same has been reviewed and approved by Chief of Police Ray Johnson and Director of Planning and Economic Development Jerry Duepner. A motion was made by Councilmember Hartman, seconded by Councilmember Fawcett, to approve this liquor license request. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring announced, on behalf of Councilmember Hartman, that the next meeting of the Finance and Administration Committee will be held October 16, 1989, at 12 noon.

## **LEGISLATION**

### **BILL #365 AN ORDINANCE TO REPEAL ORDINANCE #58 AND SUBSTITUTE A NEW ORDINANCE THERETO RELATING TO THE PUBLIC CONSUMPTION OF ALCOHOL**

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #365. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #365 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hrabko, for a second reading of Bill #365. 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 #365, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #365 approved, passed it and it became ORDINANCE #355.

### **BILL #366 AN ORDINANCE APPROVING THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, for the first reading of Bill #366. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #366 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Flachsbart, for a second reading of Bill #366. 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 #366, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #366 approved, passed it and it became ORDINANCE #356.

## **LEGISLATION - PLANNING COMMISSION**

### **BILL #361 AN ORDINANCE AMENDING ST. LOUIS COUNTY PEU ORDINANCE 9321 FOR THE WESTFIELD FARMS SUBDIVISION**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #361. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #361 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #361. 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 #361, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #361 approved, passed it and it became ORDINANCE #357.

**BILL #362 AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "NU" NON-URBAN DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT (P.Z. 26-89, MIDLAND CAPITOL PROPERTIES II)**

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett, to amend Page 3 Section 4G to read from "thirty (30) feet" to "twenty-six (26) feet". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #362. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #362 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for a second reading of Bill #362. 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 #362, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #362 approved, passed it and it became ORDINANCE #358.

**BILL #363 AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE BY GRANTING AN AMENDED "C-8" DISTRICT FOR PROPERTY ON THE NORTH SIDE OF CLARKSON ROAD (P.Z. 26-89, MIDLAND CAPITOL PROPERTIES II)**

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett to amend Page 3 Section 4G to read from "thirty (30) feet" to "twenty-six (26) feet". A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #363. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #363 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko, for a second reading of Bill #363. 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 #363, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #363 approved passed it and it became ORDINANCE #359.

**BILL #364 AN ORDINANCE PROVIDING FOR THE APPROVAL OF A MINOR SUBDIVISION PLAT FOR THE SITE OF BARNES RETIREMENT CENTER (CHESTERFIELD POINTE)**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #364. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #364 was read for the first time.

A motion was made by Councilmember Hrabko, seconded by Councilmember Hathaway, for a second reading of Bill #364. 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 #364, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko, and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #364 approved, passed it and it became ORDINANCE #360.

**BILL #367 AN ORDINANCE REPEALING ORDINANCE 336 AND CREATING A NEW  
ORDINANCE TO ESTABLISH THE SWINGLEY RIDGE ROAD TRUST  
FUND AND PROVIDING FOR ITS ADMINISTRATION AND  
DISBURSEMENT**

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, for the first reading of Bill #367. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #367 was read for the first time.

A motion was made by Councilmember Hathaway, seconded by Councilmember Bute, for a second reading of Bill #367. 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 #367, with the following results: Ayes - Hathaway, Flachsbart, Schroeder, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #367 approved, passed it and it became ORDINANCE #361.

**ADJOURNMENT**

A motion was made by Councilmember Hurt, seconded by Councilmember Hathaway, 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 8:10 P.M.

Mayor Frederic M. Steinbach

ATTEST:

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City Clerk