



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
OCTOBER 2, 1995

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The meeting was called to order at 7:00 P.M.

A roll call was taken with the following results:

### PRESENT

Mayor Jack Leonard  
Councilmember Barry Flachsbart  
Councilmember Colleen Hilbert  
Councilmember Ed Levinson  
Councilmember Barry Streeter  
Councilmember Dan Hurt  
Councilmember Mike Cullen  
Councilmember Linda Tilley

### ABSENT

Councilmember Alan Politte

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Eran Coblitz, Adam Weintrop and Adam Satz. Also in attendance was Troop Leader Thomas Smyka.

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

### APPROVAL OF MINUTES

The minutes of the September 18, 1995 City Council meeting were submitted for approval. A motion was made by Councilmember Streeter, seconded by Councilmember Cullen, to approve the minutes. A voice vote was taken with an affirmative result (Councilmember Levinson "Abstained") and the motion was declared passed.

## **INTRODUCTORY REMARKS**

Mayor Jack Leonard welcomed those in attendance to the Council meeting.

## **COMMUNICATIONS AND PETITIONS**

Dr. Theo Korakianitis, who resides at 27 Chesterfield Lakes, expressed his support for P.Z. 23-95, Fahrenhorst Enterprises (All About Children) for rezoning and his opposition to P.Z. 24-95, Fahrenhorst Enterprises (All About Children) for the conditional use permit.

## **COUNCIL COMMITTEE REPORTS**

### **Public Health and Safety**

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 1138 and 1139 will be read for the second time and considered for adoption under the Legislation portion of the agenda.

Councilmember Hilbert announced that the next meeting of this Committee has been scheduled for October 9, 1995, at 6:30 P.M.

### **Planning and Zoning**

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 1144, 1145, 1121, 1123, 1146 and 1148 will be considered for adoption under the Legislation portion of the Council agenda. Councilmember Levinson reported that the recommendation with regard to P.Z. 24-95, Fahrenhorst Enterprises (All About Children) from the Planning and Zoning Committee was that Council exercise its power of review and hold a Public Hearing. A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to schedule a Public Hearing for P.Z. 24-95, Fahrenhorst Enterprises (All About Children) on October 26, 1995, at 6:00 P.M. A roll call vote was taken with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen, Tilley. Nays - None. The motion was declared passed.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for October 26, 1995, at 5:30 P.M.

### **Public Works/Parks**

Due to the absence of Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, Councilmember Levinson gave the Committee report. Councilmember Levinson reported that the Committee voted unanimously to recommend that City Council approve the hiring of a Civil Engineer to fill the vacant Plan Review Engineer position. It was clarified that this action would be in addition to the Civil Engineer position that currently exists. The

costs associated with the hiring of a Civil Engineer can be funded from existing funds. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to approve the hiring of the Civil Engineer. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported that the Committee voted unanimously to recommend that City Council authorize Staff to approve routine escrow extensions administratively. If circumstances are such where significant problems are involved or Staff recommends attachment of escrows, recommendations will continue to be forwarded to the Committee for action. A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, to approve the revision of the policy regarding escrow extensions. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Levinson next reported on the status of the 500-year levee. In order for the Corps of Engineers to authorize the next phase of the project, the feasibility study, a local commitment to pay 50% of the study cost, \$750,000, must be made. The Levee District and TIF Commission have indicated a willingness to each consider/recommend funding of \$150,000 of the cost. Councilmember Levinson stated that the Committee unanimously recommends that Council authorize up to \$150,000 for the City's prorated share of the cost of the feasibility study for the 500-year levee. A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, to approve an amount not to exceed \$150,000 as the City's prorated share of the cost of the feasibility study for the 500-year levee and this amount to be taken from the Stormwater Drainage Account to be transferred to the Valley Escrow Account. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Hilbert requested that the City contact the City of Wildwood regarding funding for this project. Councilmember Levinson noted that this was being done by the Levee District.

Councilmember Levinson next announced that a volunteer day for planting of 60,000 daffodil bulbs has been scheduled for Saturday, October 21, 1995, 9:00 A.M. - 2:00 P.M. The bulbs will be planted in the Chesterfield Airport Road entrance to the City.

Councilmember Levinson next reported that Bill #1147 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for October 17, 1995, at 7:30 P.M.

### **Finance and Administration**

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, reported that Bill #1140 will be read for the second time and considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for October 5, 1995, at 5:30 P.M.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that Director of Public Works/City Engineer Mike Geisel has recommended that a bid submitted by Frank C. Mitchell Company, totalling \$214,760, be approved, to install the plumbing in the new Public Works facility, as recommended by the Construction Manager, John Schroeder. Funds to cover this expense were included in the \$2.5 million Bond Issue approved by City Council for this purpose. A motion was made by Councilmember Levinson, seconded by Councilmember Hilbert, to table this matter and seek additional bids. Discussion ensued. Councilmember Flachsbart stated for the record that he believes what the professional staff has reiterated that the bids were in line with what was expected; secondly, that the professional staff has evaluated the company and stated that they are qualified to do the work; and, finally, that the City advertised and accepted bids that have been received and it would be unfair to go through the process again with the intent of receiving additional bids. A roll call vote was taken with the following results: Ayes - Hilbert, Levinson. Nays - Flachsbart, Streeter, Hurt, Cullen, Tilley. The motion was declared defeated. A motion was then made by Councilmember Tilley, seconded by Councilmember Flachsbart, to approve the bid as submitted by Frank C. Mitchell Company, totalling \$214,760. A roll call vote was taken with the following results: Ayes - Flachsbart, Streeter, Hurt, Cullen, Tilley. Nays - Hilbert, Levinson. The motion was declared passed.

Mr. Herring next reported that Director of Public Works/City Engineer Mike Geisel has recommended that the low bid submitted by Briner Electric Company, totalling \$265,460, be approved to install the electrical requirements for the new Public Works facility. This bid has also been recommended by the Construction Manager. Funds to cover this expense were included in the \$2.5 million bond issue approved by City Council for this purpose. Councilmember Levinson made a motion to table this item with the intent of seeking additional bids. The motion was seconded by Councilmember Hilbert. Discussion ensued with regard to the bids and the amount budgeted for the electrical scope of work. Mr. Beach stated that he had just called Mr. Geisel on his car phone and that he and Mr. Schroeder, the Construction Manger, confirmed that the bid was within the budget established for this aspect of the total construction cost. A roll call vote was taken with the following results: Ayes - Levinson, Hilbert. Nays - Flachsbart, Streeter, Hurt, Cullen, Tilley. The motion was declared defeated. A motion was then made by Councilmember Flachsbart, seconded by Councilmember Tilley, to accept the low bid submitted by Briner Electric Company, in the amount totaling \$265,460. A voice vote was taken with an affirmative result (Councilmembers Hilbert and Levinson voted "No") and the motion was declared passed.

Mr. Herring next reported that a liquor license request has been received from Karaoke Bar and Billiards, Inc., located at 13455-59 Olive Boulevard. This business is requesting a license to sell all kinds of intoxicating liquor by the drink to be consumed on the premise and Sunday sales. A motion was made by Councilmember Levinson, seconded by

Councilmember Cullen, to approve issuance of the liquor license. 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 #1138            AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF HIGHCROFT AND CHEQUER (SECOND READING -PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for a second reading of Bill #1138. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1138 was read for the second time. A roll call vote was taken for passage and approval of Bill #1138, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen. Nays - Tilley. Whereupon Mayor Leonard declared Bill #1138 approved, passed it and it became **ORDINANCE #1094**.

BILL #1139            AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION STOPS BY ADDING A PROVISION THERETO REGARDING STOP SIGNS AT THE INTERSECTION OF HIGHCROFT AND HEATHERCROFT (SECOND READING -PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for a second reading of Bill #1139. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1139 was read for the second time. A roll call vote was taken for passage and approval of Bill #1139, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen. Nays - Tilley. Whereupon Mayor Leonard declared Bill #1139 approved, passed it and it became **ORDINANCE #1095**.

BILL #1140            AMENDS ORDINANCE #217, OF THE CITY OF CHESTERFIELD TO REVISE THE SALARIED ADMINISTRATION MANUAL BY THE READING SECTION 5 (F) SECOND PARAGRAPH IN CHAPTER IV AND SUBSTITUTING IN LIEU THERE A NEW SECTION V (F) SECOND PARAGRAPH IN CHAPTER IV, TO CLARIFY WHEN OVERTIME WOULD APPLY (SECOND

READING -FINANCE AND ADMINISTRATION COMMITTEE  
RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #1140. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1140 was read for the second time. A roll call vote was taken for passage and approval of Bill #1140, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1096 approved, passed it and it became **ORDINANCE #1096**.

BILL #1147            REPEALS ORDINANCE #1073 OF THE CITY OF CHESTERFIELD  
APPROVING FIRE HYDRANTS IN THE BRIDLE SUBDIVISION  
(PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS  
APPROVAL -FIRST AND SECOND READINGS)

A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, for the first reading of Bill #1147. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1147 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1147. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1147 was read for the second time. A roll call vote was taken for passage and approval of Bill #1147, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1147 approved, passed it and it became **ORDINANCE #1097**.

LEGISLATION - PLANNING COMMISSION

BILL #1121            AMENDS THE ZONING ORDINANCE OF THE CITY OF  
CHESTERFIELD BY CHANGING THE BOUNDARIES OF A  
"NU" NON-URBAN DISTRICT AND "FPNU" FLOOD PLAIN  
NON-URBAN DISTRICT TO "R-2" 15,000 SQUARE FOOT  
RESIDENCE DISTRICT AND "FPR-2" FLOOD PLAIN "R-2"  
15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 14.79  
ACRE TRACT OF LAND LOCATED AT THE TERMINUS OF  
SQUIRE'S WAY DRIVE, EAST OF SCHOETTLER VALLEY  
DRIVE (P.Z. 17-95, SYCAMORE DEVELOPMENT CO. -  
SCHOETTLER RIDGE) (PLANNING COMMISSION  
RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1121. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1121 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1121. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1121 was read for the second time. A roll call vote was taken for passage and approval of Bill #1121, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1121 approved, passed it and it became **ORDINANCE #1098**.

BILL #1123 ESTABLISHES A PLANNED ENVIRONMENT UNIT (PEU) IN AN "R-2" 15,000 SQUARE FOOT RESIDENCE DISTRICT AND "FPR-2" FLOOD PLAIN "R-2" 15,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 14.79 ACRE TRACT OF LAND LOCATED AT THE TERMINUS OF SQUIRE'S WAY DRIVE, EAST OF SCHOETTLER VALLEY DRIVE (P.Z. 18-95, SYCAMORE DEVELOPMENT CO. - SCHOETTLER RIDGE) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1123. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1123 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1123. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1123 was read for the second time. A roll call vote was taken for passage and approval of Bill #1123, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1123 approved, passed it and it became **ORDINANCE #1099**.

BILL #1144 AMENDS ST LOUIS COUNTY ORDINANCE NUMBER 13,013 (P.C. 14-82, LIEBERMAN CORPORATION) AUTHORIZING A "C-8" PLANNED COMMERCIAL DISTRICT DEVELOPMENT ON THE WEST SIDE OF CLARKSON ROAD AT ITS INTERSECTION WITH BAXTER ROAD (P.Z. 25-95 ST. JOSEPH INSTITUTE FOR THE DEAF) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1144. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1144 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, for a second reading of Bill #1144. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1144 was read for the second time. A roll call vote was taken for passage and approval of Bill #1144, with the following results: Ayes -

Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1144 approved, passed it and it became **ORDINANCE #1100.**

BILL #1145            AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF A "NU" NON-URBAN DISTRICT TO "R-1A" 22,000 SQUARE FOOT RESIDENCE DISTRICT FOR A 1.065 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD, APPROXIMATELY 350 FEET WEST OF THE INTERSECTION OF BAXTER ROAD EXTENSION AND WILD HORSE CREEK ROAD (P.Z. 23-95, FAHRENHORST ENTERPRISES (ALL ABOUT CHILDREN) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to recommend that City Council exercise its power of review and schedule a Public Hearing on October 26, 1995, at 6:00 P.M. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL #1148            PROVIDES FOR THE APPROVAL OF THE SUBDIVISION PLAT OF 84 LUMBER SUBDIVISION; NORTH SIDE OF CHESTERFIELD AIRPORT ROAD, EAST OF LONG ROAD (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1148. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1148 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, for a second reading of Bill #1148. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1148 was read for the second time. A roll call vote was taken for passage and approval of Bill #1148, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1148 approved, passed it and it became **ORDINANCE #1101.**

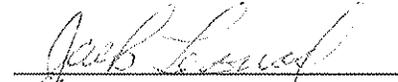
BILL #1146            AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTION 1003.300 PROCEDURE FOR AMENDING THE ZONING ORDINANCE (P.Z. 24-94, CITY OF CHESTERFIELD PLANNING COMMISSION) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, for the first reading of Bill #1146. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1146 was read for the first time.

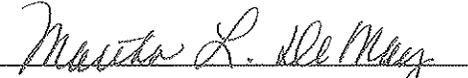
A motion was made by Councilmember Levinson, seconded by Councilmember Cullen, for a second reading of Bill #1146. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1146 was read for the second time. A roll call vote was taken for passage and approval of Bill #1146, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1146 approved, passed it and it became **ORDINANCE #1102**.

**ADJOURNMENT**

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, 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 7:45P.M.

  
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Mayor Jack Leonard

**ATTEST:**

  
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Martha L. DeMay, City Clerk