

## RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, NOVEMBER 6, 1989

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

### ABSENT

Councilmember June Schroeder

The Pledge of Allegiance was led by Boy Scout Troop #505 from Incarnate Word School: Alex Wendel, Roger Walt, Steven Long, Matt Wendel, Jeff Conn, Chris Prang and Pat Cooper. Also in attendance was Grace Long and David Bell, Troop Leaders.

Tim Bishop from the Church of Jesus Christ of the Latter Day Saints, Chesterfield Ward, led the City Council in prayer.

The minutes of the October 16, 1989, meeting were submitted for approval. A motion was made by Councilmember Bute, seconded by Councilmember Hathaway, to approve the minutes. A voice vote was taken, with a unanimous affirmative result, and the motion was declared passed.

### COMMITTEE REPORTS

#### Planning and Economic Development

Councilmember Hrabko, Chairperson of the Planning and Economic Development Committee, reported that John L. Shaw had requested an extension of time for P.C. 92-88. The Planning Commission has granted a one year extension of time. A motion was made by Councilmember Hrabko, seconded by Councilmember Hurt, to receive and file this request. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hrabko updated the Council regarding the recommendation for approval by the Planning Commission for P.Z. 18-89, Charles Liebert. The protest statement has been received and reviewed by the Planning Commission and determined to be valid. A Public Hearing has been set for November 8, 1989, at 6:00 P.M.

Councilmember Hrabko reported that his Committee had recommended to the Planning Commission that the zoning ordinance be amended to allow for informational signs for churches and houses of worship within the City of Chesterfield. A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, to approve Resolution #69 which deals with this matter. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

#### Finance and Administration

Councilmember Hartman, Chairperson of the Finance and Administration Committee, stated that Bill #'s 366, 367 and 368 will be considered for adoption under the Legislation portion of the agenda. Each has been reviewed and approved by this Committee.

#### Public Works/Parks

Councilmember Bute, Chairperson of the Public Works/Parks Committee, reported that the Committee had directed City Administrator Herring to contact City Attorney Doug Beach to begin the process of securing the escrow funds to correct deficiencies on Lots #39 and #40 in the Forest Meadows Subdivision.

Councilmember Bute next reported that the developer of the Wilson Spur Trust Fund had requested release of escrow to complete thirty (30) feet of pavement. Director of Public Works/City Engineer Bill Hawn has instructed the developer that the City would agree to a cost based on the escrow unit cost of approximately \$14,000.00 plus 10% due to inflation.

Councilmember Bute recommended the Council approve adoption of the stormwater detention policies as set forth by the Director of Public Works/City Engineer Bill Hawn. This policy is recommended unanimously for adoption by the Committee. A motion was made by Councilmember Bute, seconded by Councilmember Flachsbar, to accept these policies. A voice vote was taken with a unanimous

affirmative result and the motion was declared passed. (See attached)

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Councilmember Bute next stated that Bill #374, dealing with acceptance of streets would be considered for adoption later on in the agenda under the Legislation portion. The Public Works/Parks Committee recommends adoption of this ordinance.

#### Public Health and Safety

Councilmember Flachsbart, Chairperson of the Public Health and Safety Committee, reported that Bill #'s 369 through 373 will be considered for adoption under the Legislation portion. His Committee recommends adoption of each.

Councilmember Flachsbart next reported that the Committee voted unanimously for the Council to authorize the City of Chesterfield Police Department to proceed with a grant application to establish a Narcotics Control Assistance Program within our community. A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to proceed with this application. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart advised that the Committee voted unanimously to recommend Council approve the Law Enforcement Explorer's Manual. This manual is to be used by the Explorer Post sponsored by the Chesterfield Police Department. A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to approve this manual. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Flachsbart announced that the next meeting of his Committee will be held on November 13, 1989, 5:45 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator reported that two (2) requests for liquor licenses had been filed with the City Clerk's office. Cafe Licata, located at 17552 Chesterfield Airport Road, is requesting a license to serve all kinds of intoxicating liquor by the drink to be consumed on the premises. This application 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 Hrabko, seconded by Councilmember Hartman, to approve issuance of this license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

The Friends of the Carousel, located at 15185 Olive Road is requesting a temporary liquor license to serve all kinds of

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intoxicating liquor by the drink to be consumed on the premises the evening of November 17, 1989, for the bon voyage party for former County Executive Gene McNary. This application 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 Hrabko, seconded by Councilmember Fawcett to approve issuance of this license. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Herring announced that the Government Center would be closed November 10, 1989, in observance of Veteran's Day.

City Administrator Herring next announced the promulgation of the City Council 1990 Meeting Schedule. Mr. Herring specifically called attention to changes in the months of January, February, July and September due to holidays observed by the Government Center.

City Administrator Herring informed the Council that he had been honored by Senator Christopher Bond to serve on the newly-created National Affairs Policy Roundtable for the St. Louis area. Various individuals from the St. Louis area will meet with the Senator to discuss national affairs and policies in the formation stages.

#### LEGISLATION

#### BILL #366 PROVIDES FOR THE ADOPTION OF THE CITY OF CHESTERFIELD RETIREMENT PLAN

A motion was made by Councilmember Hartman, seconded by Councilmember Hrabko, 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 Flachsbart, seconded by Councilmember Hurt, 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, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #366 approved, passed it and it became ORDINANCE #367.

BILL #367DECLARES THE CITY OF CHESTERFIELD'S AUTHORITY TO GRANT NON-EXCLUSIVE FRANCHISES FOR THE OPERATION OF CABLE TELEVISION SYSTEMS IN THE CITY OF CHESTERFIELD AND DIRECTS NOTICE TO THE PUBLIC OF THE CITY'S REQUEST FOR APPLICATIONS FOR SUCH FRANCHISES AND SETTING MINIMUM CONDITIONS FOR APPLICATIONS

A motion was made by Councilmember Hartman, seconded by Councilmember Hrabko, 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 Flachsbart, seconded by Councilmember Hurt, 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, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #367 approved, passed it and it became ORDINANCE #368

BILL #368REPEALS ORDINANCE #340 IN ITS ENTIRETY AND SECTIONS 1 AND 2 OF ORDINANCE #152; COVERS ELECTIONS IN THE CITY OF CHESTERFIELD, AND ESTABLISHES A PROCEDURE FOR CANDIDATE FILING AND SETTING THE FILING PERIOD FOR OFFICE

A motion was made by Councilmember Hartman, seconded by Councilmember Hrabko, for the first reading of Bill #368. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #368 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hurt, for a second reading of Bill #368. 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 #368, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #368 approved, passed it and it became ORDINANCE #369.

BILL #369AMENDS ORDINANCE #35, SCHEDULE I OF THE ORDINANCES OF THE  
CITY OF CHESTERFIELD BY DELETING AND ADDING  
PROVISIONS THEREFROM

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A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #369. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #369 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #369. 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 #369, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #369 approved, passed it and it became ORDINANCE #370.

BILL #370RELATES TO THE UNLAWFUL DISCHARGE OF A WEAPON

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #370. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #370 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #370. 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 #370, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #370 approved, passed it and it became ORDINANCE #371.

BILL #371RELATES TO THE CRIME OF ILLEGAL HUNTING OR TAKING OF GAME

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #371. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #371 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #371. 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 #371, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and

Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #371 approved, passed it and it became ORDINANCE #372.

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BILL #372RELATES TO THE CRIME OF ABUSE AND NEGLECT OF ANIMALS

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #372. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #372 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #372. 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 #372, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #372 approved, passed it and it became ORDINANCE #373.

BILL #373RELATES TO THE CRIME OF LITTERING

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #373. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #373 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #373. 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 #373, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #373 approved, passed it and it became ORDINANCE #374.

BILL #374PERTAINS TO THE ACCEPTANCE OF BURKHARDT PLACE, CARRIAGE CROSSING LANE, CHAISE RIDGE ROAD, TOWLES FARM COURT AND SURREY VIEW DRIVE AS PUBLIC STREETS

A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, for the first reading of Bill #374. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #374 was read for the first time.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Hathaway, for a second reading of Bill #374. A

voice

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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 #374, with the following results: Ayes - Hathaway, Flachsbart, Bute, Hurt, Hartman, Hrabko and Fawcett. Nays - None. Whereupon Mayor Steinbach declared the Bill #374 approved, passed it and it became ORDINANCE #375.

ADJOURNMENT

A motion was made by Councilmember Hathaway, seconded by Councilmember Hurt, 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 7:50 P.M.

Mayor Frederic M. Steinbach

ATTEST:

City Clerk