



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, NOVEMBER 15, 1993

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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/ABSENT

Mayor Jack Leonard	None
Councilmember Colleen Hilbert	
Councilmember Nancy Greenwood	
Councilmember Susan Clarke	
Councilmember Ed Levinson	
Councilmember Dan Hurt	
Councilmember Alan Politte	
Councilmember Dick Hrabko	
Councilmember Linda Tilley	

The Pledge of Allegiance was led by Girl Scout Troop #2215 from Greentrails Elementary School: Lauren Rubin, Dana Amitin, Erin Emerich and Stephanie Seaton. Also in attendance were Troop Leaders Jeanne Rubin, Elaine Amitin and Jenny Seaton.

Reverend Jerrol Boehmer from Greentrails Methodist Church led the City Council in prayer.

The minutes of the November 1, 1993, meeting was submitted for approval. A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

COMMUNICATIONS AND PETITIONS

Mr. Royce Engel, who resides at 135 Ridgecrest Drive, expressed his pleasure with the defeat of Proposition I (riverboat gambling) and thanked the various organizations who worked diligently for its defeat.

Mr. Mark Andrews, who resides at 11 Chesterfield Lakes, stated that the Citizens for Life and Liberty oppose riverboat gambling and do not want to fight this issue again. Mr. Andrews requested that each Councilmember state his/her position with regard to placing riverboat gambling on the ballot in the future. (For the record, Councilmembers Hilbert, Greenwood, Hurt, Politte, Hrabko and Tilley commented that they would not be in favor of placing this issue on the ballot unless it had the residents support. Councilmembers Clarke and Levinson had no comment to make. Mayor Leonard stated that in the Work Session, City Council voted to not discuss placing the issue of riverboat gambling on the ballot for one (1) year from this date - November 15, 1993.)

Mr. Jim Breckenridge, who resides at 324 Stonecrest Court, thanked those volunteers who worked to defeat Proposition I. Mr. Breckenridge also offered his services to help develop a program to aid and improve voter registration, voter education, voter feedback and voter turnout in the City of Chesterfield elections. Councilmember Greenwood requested that this issue be placed on the Finance and Administration Committee agenda for the next meeting.

Ms. Jade Gardner Bute, who resides at 1510 Walpole, thanked the CARE organization who worked for the defeat of Proposition I and stated the organization would continue to work for improving the lifestyle in Chesterfield. Councilmember Politte urged all those in attendance to attend the Parks Master Plan meetings and express their ideas/opinions.

Mr. Mal Kenney, who resides at 28 Ridgecrest Drive, expressed his thanks to all those who worked for the defeat of Proposition I.

Mr. Richard Oscarson, who resides at 625 Packford Drive, expressed his pleasure in the defeat of Proposition I and questioned the status of groups who were interested in pursuing riverboat gambling in the Valley.

Ms. Juanita Cox-Fox, who resides at 13 Chesterfield Lakes, expressed opposition to riverboat gambling and is not pleased with the possibility that it could be placed on the ballot after one year.

Mr. Barry Streeter, who resides at 1177 Jonesborough Road, stated that he was Chairperson of the Drug Abuse Task Force and announced that Drug Abuse Awareness Day has been scheduled for March 5, 1994, at Chesterfield Mall. Mr. Streeter requested the support of the Council in establishing the contractual position of Coordinator of Alcohol and Drug Abuse Prevention.

Ms. Anne Englert, who resides at 2015 Lynn Bay, opposed the Work Sessions held prior to the City Council meetings and requested that all business transpire in the Council meeting.

Mr. Mark Belt, who resides at 14779 Appalachian Trail, requested a reduced speed limit on Appalachian Trail.

Ms. Jane Durrell requested that individuals refer to the emergency number as nine-one-one, instead of nine-eleven. She stated that if children get used to the emergency being referred to as nine-eleven, they will have a difficult time finding "eleven" on the telephone dial.

## INTRODUCTORY REMARKS

Mayor Jack Leonard thanked those in attendance for attending the City Council meeting and recognized two (2) Boy Scout Packs who are working on their citizenship badges - Webelo Pack 840 from Bonhomme Presbyterian Church and Cub Pack 569 from River Bend School.

## COUNCIL COMMITTEE REPORTS

### Finance and Administration

Councilmember Nancy Greenwood, Chairperson of the Finance and Administration Committee, reported that Resolution #'s 147 and 148 will be considered for adoption. These Resolutions pertain to the issue of cable television rate regulation. This would involve the regulation of the basic rate package as provided by the FCC regulations. Resolution #147 would allow the City to petition the FCC to permit the City of Chesterfield to regulate rates for cable services in accordance with the Cable Television Act of 1992. Resolution #148 would allow the City of Chesterfield to give 90 days notice of its intent to enforce the Consumer Service Obligations set out in the Cable Television Consumer Protection and Competition Act of 1992. A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, to adopt Resolution #147 and Resolution #148. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Greenwood next reported that the Committee recommends City Council approve the proposed 1993 Budget Adjustments as indicated by Finance Director Jan Hawn. This is basically a "housekeeping" procedure. A motion was made by Councilmember Greenwood, seconded by Councilmember Hurt, to approved the proposed 1993 Budget Adjustments. A voice vote was taken with an affirmative result (Councilmembers Hilbert and Levinson voted "No") and the motion was declared passed.

Councilmember Greenwood announced that the next meeting of his Committee has been scheduled for December 14, 1993 at 5:30 P.M.

### Planning and Zoning

Councilmember Susan Clarke, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 866, 868, 869 and 870 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Clarke next reported that passage of Resolution #146 will excuse Staff from enforcing the restriction of basketball goals. This issue will be addressed with the revision of the Zoning Ordinance. A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to adopt Resolution #146. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Clarke next announced that the next meeting of this Committee has been scheduled for November 18, 1993, at 5:45 P.M.

### Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, announced that the next meeting of this Committee has been scheduled for November 23, 1993, at 7:00 A.M.

### Public Health and Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that Bill #871 has been tabled and is scheduled for consideration at the next City Council meeting.

Councilmember Tilley next reported that Bill #872 will be considered for adoption under the Legislation portion of the agenda.

City Council had directed the preparation of a Request For Proposals for a traffic consultant to determine solutions to problems occurring at the intersection on Schoettler Valley and Highcroft in Ward II. The RFP has been completed and bids have been received. The Committee voted to accept the low bid submitted from Crawford, Bunte and Brammier for consultant services. A motion was made by Councilmember Levinson, seconded by Councilmember Clarke, to transfer \$3,700 from the Contingency Fund for consulting services to be provided by Crawford, Bunte and Brammier. A voice vote was taken with an affirmative result (Councilmember Hrabko voted "No") and the motion was declared passed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for December 14, 1993, at 7:00 P.M.

### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring announced that the Government Center will be closed November 25 and 26 in celebration of the Thanksgiving Holidays.

### NEW BUSINESS

Councilmember Greenwood expressed the desire of the Councilmembers as a whole that the City of Chesterfield was no longer in a "state of emergency" with regard to the recent flood disaster. Mayor Leonard stated that it was his belief that the City would be in a "state of emergency" until the levee has been restored to its 100 year level of protection. A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, to declare the "state of emergency" over. City Attorney Beach noted that City ordinances provide for the Mayor to establish a "state of emergency." Councilmember Clarke withdrew her motion.

Councilmember Levinson requested the status of the independent task force to assess the City's response in handling of the Valley flood recover process. Mayor Leonard explained that he has had informal contact with members of City Council and Council did not support the concept of a task force. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to

bring back this issue of the City's response in handling the flood crisis. An amendment was made by Councilmember Clarke, seconded by Councilmember Politte, to place this item on the next agenda for the Public Health and Safety Committee. A voice vote was taken with an affirmative result (Councilmember Hrabko voted "No") and the motion was declared passed.

## LEGISLATION

**BILL #872 ESTABLISHES THE POSITION OF THE COORDINATOR OF ALCOHOL AND DRUG ABUSE PREVENTION (PUBLIC HEALTH AND SAFETY COMMITTEE RECOMMENDS APPROVAL)**

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, to suspend the rules of Council to have both the first and second readings of this proposed ordinance at this Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

A motion was made by Councilmember Tilley, seconded by Councilmember Clarke, for the first reading of Bill #872. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #872 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #872. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #872 was read for the second time. A roll call vote was taken for passage and approval of Bill #872, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #872 approved, passed it and it became ORDINANCE #852.

## LEGISLATION - PLANNING COMMISSION

**BILL #866 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN "N-U" NON-URBAN DISTRICT TO "R-2" 15,000 SQ. FT RESIDENCE DISTRICT WITH A PLANNED ENVIRONMENT UNIT PROCEDURE FOR A 18.7 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD, APPROXIMATELY 1800 FT. EAST OF THE INTERSECTION OF LONG AND WILD HORSE CREEK ROADS (P.Z. 22, 23 & 24-93, MICELI DEVELOPMENT CORPORATION - SOMERSET WEST) (PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL)**

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #866. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #866 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #866. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #866 was read for the second time. A roll call vote was taken for passage

and approval of Bill #866, with the following results: Ayes - Hilbert, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - Greenwood. Whereupon Mayor Leonard declared Bill #866 approved, passed it and it became ORDINANCE #853.

**BILL #868 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "N-U" NON-URBAN DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT FOR A 1.95 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLD OLIVE STREET ROAD AT CHESTERFIELD AIRPORT ROAD (P.Z. 26-93, GLEN NOVACK/REDIA MCGRATH - THE WEDGE) (PLANNING COMMISSION RECOMMENDS APPROVAL)**

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #868. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #868 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #868. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #868 was read for the second time. A roll call vote was taken for passage and approval of Bill #868, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #868 approved, passed it and it became ORDINANCE #854.

**BILL #869 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF THE "N-U" NON-URBAN DISTRICT TO "C-8" PLANNED COMMERCIAL DISTRICT FOR A 1.22 ACRE TRACT OF LAND LOCATED ON THE NORTH SIDE OF OLD OLIVE STREET ROAD, APPROXIMATELY 500 FT. WEST OF THE INTERSECTION OF OLD OLIVE STREET ROAD AND CHESTERFIELD AIRPORT ROAD (P.Z. 27-93, GLEN NOVACK - OLD SCHOOL HOUSE) (PLANNING COMMISSION RECOMMENDS APPROVAL)**

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for the first reading of Bill #869. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #869 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Greenwood, for a second reading of Bill #869. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #869 was read for the second time. A roll call vote was taken for passage and approval of Bill #869, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #869 approved, passed it and it became ORDINANCE #855.

**BILL #870 DECLARES THE INTENTION OF THE CITY OF CHESTERFIELD TO ANNEX AN UNINCORPORATED AREA OF LAND IN ST. LOUIS COUNTY, MISSOURI. AN AREA THAT IS CONTIGUOUS TO THE CITY OF CHESTERFIELD, IMMEDIATELY SOUTH OF CLAYTON ROAD TO THE CITY LIMITS OF MANCHESTER, MISSOURI**

A motion was made by Councilmember Levinson, seconded by Councilmember Hurt, for the first reading of Bill #870. A roll call vote was taken with the following results: Ayes - Hilbert, Levinson, Hurt, Politte. Nays - Greenwood, Clarke, Tilley, Hrabko. The Mayor broke the tie vote by voting "Aye" and the motion was declared passed. Bill #870 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Politte, for a second reading of Bill #870. A roll call vote was taken with the following results: Ayes Hilbert, Levinson, Hurt, Politte. Nays - Greenwood, Clarke, Tilley, Hrabko. Mayor Leonard broke the tie vote by voting "Aye" and the motion was declared passed. Bill #870 was read for the second time. A roll call vote was taken for passage and approval of Bill #870, with the following results: Ayes - Hilbert, Levinson, Hurt, Politte. Nays - Greenwood, Clarke, Tilley, Hrabko. The Mayor broke the tie vote by voting "Aye" , declared Bill #870 approved, passed it and it became ORDINANCE #856.

ADJOURNMENT

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, 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 8:40 P.M.

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Mayor Jack Leonard

ATTEST:

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Martha L. DeMay, City Clerk