



## RECORD OF PROCEEDING

---

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD  
AT 922 ROOSEVELT PARKWAY  
DECEMBER 7, 1995

---

The meeting was called to order at 7:30 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 Alan Politte  
Councilmember Linda Tilley

ABSENT

Councilmember Mike Cullen

The Pledge of Allegiance was led by Boy Scout Troop #848 from Highcroft Ridge School: Matthew Massey, Adam Weintrop and Eric Schacht. Also in attendance was Troop Leader Douglas E. Peck.

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

APPROVAL OF MINUTES

The minutes of the November 21, 1995, City Council meeting were submitted for approval. A motion was made by Councilmember Tilley, seconded by Councilmember Politte, 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 announced that candidate filing for the April 1996 municipal election would begin Tuesday, January 2, 1996, at 8:00 A.M. and end Tuesday, January 30 at 5:00 P.M.

Mayor Leonard extended Seasons Greetings to those in attendance.

## **COMMUNICATIONS AND PETITIONS**

Ms. Betty Hathaway, who resides at 112 High Valley Drive, expressed her opposition to the proposed Resolution #195 regarding the activation of Parkway T.I.F. Commission and authorization for additional study of a proposed T.I.F. District.

Mr. Rick Ferland, President of the Board of the Chesterfield Fire Protection District and who resides at 1557 Milbridge, expressed his appreciation to City Staff for the expeditious manner in which they handled the Fire Protection District's project and expressed the Board's interest in a permanent position on the T.I.F. Commission.

## **COUNCIL COMMITTEE REPORTS**

### **Public Health and Safety**

Councilmember Colleen Hilbert, Chairperson of the Public Health and Safety Committee, reported that a meeting of this Committee will be held after January 1.

### **Planning and Zoning**

Councilmember Ed Levinson, Chairperson of the Planning and Zoning Committee, commended Mr. Jerry Duepner, Director of Planning, for his years of service and dedication to the City of Chesterfield. Mr. Duepner will be leaving the City for a new position on December 22, 1995.

Councilmember Levinson reported that Bill #'s 1163 - 1166 will be considered for adoption under the Legislative portion of the agenda. In relation to Bill #1163, Councilmember Hilbert suggested that Staff develop a uniform standard for all temporary signage to be reviewed by the Planning and Zoning Committee. Councilmember Streeter also requested that Staff review Conditional Use Permits in residential areas for discussion/review by the Planning and Zoning Committee. Councilmember Tilley requested that the issue of rezoning for the West Area Study be placed on the Committee's next meeting agenda.

Councilmember Levinson announced that the next meeting of this Committee has been scheduled for December 21, 1995, at 5:30 P.M.

## **Public Works/Parks**

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Bill #1158 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for December 13, 1995, at 7:30 P.M.

## **Finance and Administration**

Councilmember Linda Tilley, Chairperson of the Finance and Administration Committee, made a motion to adopt Resolution #195 which would activate the Parkway T.I.F. Commission and authorize additional study/analysis for a proposed T.I.F. District. The motion was seconded by Councilmember Levinson. A voice vote was taken with an affirmative result (Councilmember Flachsbart voted "No") and the motion was declared passed.

Councilmember Tilley next reported that Bill #'s 1161 and 1162 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley stated that the next meeting of this Committee will be determined within the near future.

## **REPORT OF THE CITY ADMINISTRATOR**

City Administrator Mike Herring reported that bids were recently sought for Phase III of the Westbury Stormwater Improvement Project. Mr. Herring joined with Mr. Mike Geisel, Director of Public Works/City Engineer, in recommending approval of a contract not to exceed \$90,000, with the low bidder, Fred M. Luth and Sons, Inc. The actual low bid equals \$81,190.75. However, as recommended by Mr. Geisel, a contract not to exceed \$90,000 will enable contract modifications, only if necessary, for adjustments in quantities and/or necessary changes that arise during actual construction of this project. The amount of \$100,000 was appropriated for this project and is contained within the F. Y. 1995 Budget. In keeping with past practices, since this project totals \$90,000, City Council can transfer \$10,000 to the Contingency Fund. A motion was made by Councilmember Hilbert, seconded by Councilmember Flachsbart, to approve a contract with Fred M. Luth and Sons, Inc., in the amount not to exceed \$90,000, for Phase III of the Westbury Stormwater Improvement Project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to transfer \$10,000 in excess funds to the Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently sought for a stormsewer project for Royalbrook Subdivision. He joined with Mr. Geisel in recommending the approval of a contract with St. Onge Contracting Company, in an amount not to exceed \$51,500. It was noted that the actual bid submitted totaled \$46,846.05 and that the contract not to exceed \$51,500 will provide for ten (10%) percent contingencies throughout the actual construction of this project. The F. Y. 1995 Budget contains \$100,000 for unspecified stormwater improvements. A motion was made by Councilmember Politte, seconded by Councilmember Flachsbart, to approve a contract with St. Onge Contracting Company, in the amount not to exceed \$51,500, for a stormwater project in Royalbrook Subdivision. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the Public Works/Parks Committee recently authorized Staff to solicit engineering proposals for the desired improvements and repairs to stormsewer systems at 162 Southdown and 645 Sunbridge. Based upon a review of the information submitted by Mr. Geisel, Mr. Herring joined with him in recommending that City Council authorize a contract with Horner and Shifrin, in an amount not to exceed \$36,500. It was noted that the FY1995 Budget contains an appropriation of \$100,000 for unspecified stormwater improvements. Combined with the previous recommendation to award a contract for a stormsewer project within the Royalbrook subdivision, totaling \$51,500, \$12,000 remains unappropriated within this budget category. As a result, in keeping with past practices, City Council can vote to transfer these funds to the Contingency Fund. A motion was made by Councilmember Flachsbart, seconded by Councilmember Hilbert, to approve a contract with Horner and Shifrin, in an amount not to exceed \$36,500, for improvements and repairs to the stormwater systems at 162 Southdown and 645 Sunbridge and to transfer \$12,000 in excess funds to the Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that there is a need to amend the existing contract between the City of Chesterfield and Briner Electric, in the amount of \$19,476, to cover all costs associated with Change Order #1. As requested by Mr. Geisel, this change order is necessary to cover additional costs associated with changes required following final review of the plans by St. Louis County and the Chesterfield Fire Protection District. Due to the fast-track construction process with which this project is on, bids for electrical work on this project were sought prior to the final review by these two entities. The construction manager has reviewed these proposals and recommends their approval and has indicated that this additional cost is within the budgeted amount established for this purpose. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to approve Change Order #1 with Briner Electric, in the amount of \$19,476. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

City Administrator Mike Herring reported that Director of Public Works/City Engineer Mike Geisel, submitted three (3) change orders to the original contract between the City of Chesterfield and Custom Steel need to be made at this time. Change Order #1 reflects an amount of \$55,827. According to Mr. Geisel, this aspect of the structural steel work was left out of the initial bids due to plans not being finalized concerning detail work associated with this project. It is in the best interest of the City, according to the Construction Manager, to not have two different contractors working on steel work at the same time. Although this work could have been bid, the City has a contractor on-site and this material requires an extensive amount of lead time to fabricate. Change Order #2 totals \$29,044 and Change Order #3 totals \$973. Again, according to Mr. Geisel and the Construction Manager, these costs are in line and accommodated within the total budget for this project. The cumulative total of these three (3) change orders is \$85,844. A motion was made by Councilmember Levinson, seconded by Councilmember Politte, to approve the three (3) change orders with Custom Steel in the amount of \$85,844. 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 #1158            PERTAINS TO THE ACCEPTANCE OF PUBLIC STREETS WITHIN STONEBRIAR PLATS IIIA AND IV IN THE CITY OF CHESTERFIELD (SECOND READING - PUBLIC WORKS/PARKS COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, for a second reading of Bill #1158. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1158 was read for the second time. A roll call vote was taken for passage and approval of Bill #1158, with the following results: Ayes - Flachsbert, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1158 approved, passed it and it became **ORDINANCE #1114.**

BILL #1161            AMENDS ORDINANCE #217 OF THE CITY OF CHESTERFIELD TO REVISE THE SALARY ADMINISTRATION MANUAL BY DELETING SECTION 5 AND SECTION 7 OF CHAPTER III AND SUBSTITUTING IN ITS PLACE A NEW SECTION 5 AND A NEW SECTION 7 OF CHAPTER III, FOR NEW JOB DESCRIPTIONS AND POSITION EVALUATION REVIEWS (FIRST AND SECOND READINGS - FINANCE AND ADMINISTRATION COMMITTEE RECOMMENDS APPROVAL)

A motion was made by Councilmember Tilley, seconded by Councilmember Politte, for the first reading of Bill #1161. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1161 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, 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 Politte, for a second reading of Bill #1161. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1161 was read for the second time. A roll call vote was taken for passage and approval of Bill #1161, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1161 approved, passed it and it became **ORDINANCE #1115**.

**BILL #1162 ESTABLISHES THE DRUG/ALCOHOL TESTING POLICY AND PROCEDURES FOR EMPLOYEES WITH COMMERCIAL DRIVER'S LICENSES FOR THE CITY OF CHESTERFIELD PURSUANT TO FEDERAL REGULATIONS (FIRST AND**

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, for the first reading of Bill #1162. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1162 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Flachsbart, 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 Flachsbart, for a second reading of Bill #1162. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1162 was read for the second time. A roll call vote was taken for passage and approval of Bill #1162, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1162 approved, passed it and it became **ORDINANCE #1116**.

#### **LEGISLATION - PLANNING COMMISSION**

**BILL #1163 AMENDS ST. LOUIS COUNTY ORDINANCE #13,666 AND 13,903 AND REPEALS CITY OF CHESTERFIELD ORDINANCE #655 FOR A NEW AMENDED ORDINANCE RELATING TO A "C-8" PLANNED COMMERCIAL DISTRICT LOCATED ON THE**

EAST SIDE OF CLARKSON ROAD, SOUTH OF CLARKSON WOODS DRIVE (P.C. 225-87, CLARKSON CENTRE ASSOCIATES - CLARKSON WILSON CENTRE) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1163. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1163 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Politte, for a second reading of Bill #1163. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1163 was read for the second time. A motion was made by Councilmember Levinson, seconded by Councilmember Flachsbart, to amend Bill #1163 by changing the terminology which is contained in Attachment A Section 4(N) regarding Access Road Improvements. A roll call vote was taken for passage and approval of Bill #1163, as amended, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1163 approved, passed it and it became **ORDINANCE #1117**.

BILL #1164 PROVIDES FOR THE APPROVAL OF THE RESUBDIVISION PLAT OF LOT 11 OF BRAEFIELD SUBDIVISION; NORTH SIDE OF OLIVE BOULEVARD (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Streeter, for the first reading of Bill #1164. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1164 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Hurt, for a second reading of Bill #1164. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1164 read for the second time. A roll call vote was taken for passage and approval of Bill #1164, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1164 approved, passed it and it became **ORDINANCE #1118**.

BILL #1165 APPROVES THE RECORD PLAT FOR CHESTERFIELD FIRE DISTRICT SUBDIVISION; NORTH SIDE OF OLIVE BOULEVARD, WEST OF RIVER VALLEY DRIVE (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1165. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1165 was read for the first time.

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for a second reading of Bill #1165. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1165 was read for the second time. A roll call vote was taken for passage and approval of Bill #1165, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1165 approved, passed it and it became **ORDINANCE #1119.**

**BILL #1166** APPROVES THE VACATION OF AN EASEMENT ON LOT 606, WILDHORSE VILLAGE "A"; EAST SIDE OF WILDHORSE PARKWAY DRIVE, SOUTH OF BRIDGEWAY DRIVE

A motion was made by Councilmember Levinson, seconded by Councilmember Tilley, for the first reading of Bill #1166. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1166 was read for the first time.

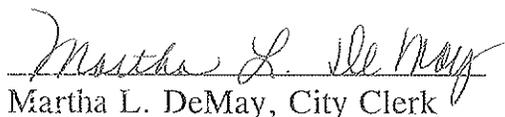
A motion was made by Councilmember Levinson, seconded by Councilmember Politte, for a second reading of Bill #1166. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #1166 was read for the second time. A roll call vote was taken for passage and approval of Bill #1166, with the following results: Ayes - Flachsbart, Hilbert, Levinson, Streeter, Hurt, Politte, Cullen and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #1166 approved, passed it and it became **ORDINANCE #1120.**

### ADJOURNMENT

A motion was made by Councilmember Politte, 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 8:15 P.M.

  
\_\_\_\_\_  
Mayor Jack Leonard

ATTEST:

  
\_\_\_\_\_  
Martha L. DeMay, City Clerk