

**RECORD OF PROCEEDING**

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, DECEMBER 17, 1990

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  
Councilmember Nancy Greenwood  
Councilmember June Schroeder  
Councilmember Jade Gardner Bute  
Councilmember Dan Hurt  
Councilmember Alan Politte  
Councilmember Linda Tilley

The Pledge of Allegiance was led by Girl Scout Troop #2454 from Parkway Central Junior High: Tanith Balaban, Rebecca Warsaw, Natatia Lin, Julie Wilkerson, Kate Ponder and Julie Wicks. Also in attendance was Troop Leaders Joan Wilkerson and Stephanie Balaban.

Reverend Robert Loggins, Sr. from First Baptist Church of Chesterfield led the City Council in prayer.

The minutes of the December 3, 1990, meeting were submitted for approval. A motion was made by Councilmember Bute, 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. Jim Galmiche, who resides at 14957 Chateau Village Drive, and is a Trustee of the Chateau Village Subdivision, addressed the Mayor and City Council with regard to the survey station that will be placed in the right-of-way of his property. Mr. Galmiche expressed his desire to have the station placed elsewhere. City Attorney Doug Beach addressed Mr. Galmiche's remarks by stating that the State of Missouri are installing the stations and the City of Chesterfield is being asked to

fund a portion of the cost. In addition, Mr. Beach commented that this project will not only benefit the City of Chesterfield, but serves the entire community interest. The station must be placed either on his property or his neighbor's property. A motion was made by Councilmember Politte, seconded by Councilmember Tilley that assurance be given to Mr. Galmiche that his yard will be repaired such that it will look as it did before the installation of this marker. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. City Administrator Herring pointed out that the area in question is located in the right-of-way, between the sidewalk and the street.

### INTRODUCTORY REMARKS - MAYOR JACK LEONARD

Mayor Jack Leonard announced that the municipal election has been scheduled for April 2, 1991, to elect four (4) Councilmembers, one from each Ward. Candidate filing begins on January 2, 1991, at 8:00 A.M. through January 29, 1991, at 5:00 P.M.

Mayor Leonard next reported that the cities of Creve Coeur, Town and Country and Chesterfield have made their joint presentation for annexation to the Boundary Commission. The Boundary Commission has indicated that the plan of intent is due on December 26, 1990, and that it be presented by the three (3) municipalities at a meeting scheduled for January 8, 1991, at 4:30 P.M. Mayor Leonard announced, in addition to this meeting, that a Public Hearing has been scheduled for January 23, 1991, at 7:00 P.M.

### COUNCIL COMMITTEE REPORTS

#### Planning/Economic Development

In the absence of Councilmember Betty Hathaway, Chairperson of the Planning/Economic Development Committee, Councilmember Jade Gardner Bute reported that the Clarkson Grove Condominium Association had stated concerns regarding a large Union Electric transformer that had been installed behind the Midland Development property. A meeting was held with the developer, the residents and Union Electric to discuss several options that are available to resolve this situation. The Committee recommended that these options be pursued.

Councilmember Bute next reported that Bill #'s 536, 537, 538 and 539 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Bute next reported that a vacation of easement had been filed with the City of Chesterfield. A motion was made by Councilmember Greenwood, seconded by Councilmember Bute, to refer this matter to the Department of Planning/Economic Development Committee for review. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for January 9, 1991, at 5:30 P.M.

### Finance and Administration

Councilmember June Schroeder, Chairperson of the Finance and Administration Committee, announced the proposed schedule of City Council meetings for 1991. Meetings are to be held the first and third Monday of each month with the following exceptions: The February meeting would be changed to February 19, and the first meeting in the months of July, August and September will be canceled per City Council's request. A motion was made by Councilmember Schroeder, seconded by Councilmember Greenwood, to accept these proposed meeting dates. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Schroeder next reported that her Committee has recommended that a second copier, a Sharp SF-8600 from Suburban Business Products, be rented for the Government Center and that the FY1991 Budget be amended to include \$2,400 for this expenditure item from funds transferred from the Contingency Account to cover this expense. A motion was made by Councilmember Schroeder, seconded by Councilmember Tilley, to transfer \$2,400 from the FY1990 Contingency Fund for a one year rental of a Sharp copier for use in the Government Center. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Schroeder next reported that the budget process has been completed and submitted Resolution #94, relating to the proposed FY1991 Budget, beginning January 1, 1991, and ending on December 31, 1991, to the Council for their approval. A motion was made by Councilmember Schroeder, seconded by Councilmember Tilley, to adopt the FY1991 Budget. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Schroeder thanked the Councilmembers and Staff for their time and effort that went into the preparation of this Budget.

Councilmember Schroeder announced that the next meeting of this Committee has been scheduled for January 14, 1991, at 7:30 A.M.

### Public Works/Parks

Councilmember Jade Gardner Bute, Chairperson of the Public Works/Parks Committee, reported that the Committee, has reviewed and approved bid specs for engineering services for an analysis of streets throughout the City. The streets will be prioritized and streets that are five (5) years old or less will not be generally included in the survey.

Councilmember Bute next reported as information that the Public Works Department and the Public Works Citizens Advisory Group are preparing a survey to be sent out to the subdivision trustees and

individuals not in a subdivision with regard to the subject of infrastructure for storm sewers and sidewalks. This survey will be reviewed and approved by the Public Works/Parks Committee and City Council prior to mailing.

Councilmember Bute next reported that Bill #'s 534, 535 and 542 will be considered for adoption under the Legislation portion of the agenda. Councilmember elaborated on Bill #534 which relates to the Geographic Reference System. The State Land Surveyor has approached the City of Chesterfield in an effort to work on a county-wide system. These are survey stations that are installed and maintained by the State. These stations are established via satellite. The establishment of the control stations would greatly help in the City's mapping capability. The original cost for installing the stations is approximately \$3,000 per station. The City can get them installed for \$1,000 per station at this time. The total cost to the City would be \$7,000, as it has been recommended that seven (7) stations be installed. The Committee has recommended that \$7,000 be transferred from the FY1990 Contingency Fund to install these seven (7) survey stations. A motion was made by Councilmember Bute, seconded by Councilmember Politte, to transfer the funds from the Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute next reported that the Committee recommends waiving the Special Use Permit fee for residents to plant replacement street trees, as suggested on the Street Tree List. However, residents must still obtain a Special Use Permit. Finalization of the procedure for obtaining the permit will be addressed at the next meeting of this Committee. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to waive the fee for the Special Use Permit. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Bute announced that the next meeting of this Committee has been scheduled for January 10, 1991, at 7:30 A.M.

#### Public Health and Safety

Councilmember Dan Hurt, Chairperson of the Public Health and Safety Committee, reported that Resolution #95 pertains to an agreement that has been developed between the City of Chesterfield and the Lord of Life Lutheran Church to provide emergency shelter facilities for families of employees, should the need arise as the result of a natural disaster. A motion was made by Councilmember Hurt, seconded by Councilmember Politte, to adopt Resolution #95 and enter into an agreement with Lord of Life Lutheran Church to provide emergency shelter facilities. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt next reported that Bill #'s 540 and 541 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Hurt next reported that the Committee voted unanimously to recommend an increase in compensation for the Municipal Judge and Prosecuting Attorney. The proposed salary of the Municipal Judge will be \$1,250/month from his present salary of \$1,000/month. The proposed salary of the Prosecuting Attorney will be \$1,650/month from his present salary of \$1,500/month. The effective date of the salary increases is January, 1991. A motion was made by Councilmember Hurt, seconded by Councilmember Bute, to approve the increase in compensation for the Municipal Judge and Prosecuting Attorney. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. The cost of this salary adjustment is \$4,800. A motion was made by Councilmember Hurt, seconded by Councilmember Bute, to transfer the \$4,800 from the FY1991 Contingency Fund. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Hurt announced that the next meeting of this Committee has been scheduled for January 15, 1991, at 5:30 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring announced that the Government Center will be closed Monday, December 24, Tuesday, December 25 and Tuesday, January 1, in observance of the Holidays.

Mr. Herring reported that an application for taxicab license renewals has been received by Mr. Heinz Peter, President of Taxi and Limousine of Chesterfield. Current licenses expire on December 31, 1990. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to approve issuance of new taxicab licenses. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently opened to cover the possibility that additional rock salt would need to be purchased, in excess of the 1,500 tons of rock salt already guaranteed for delivery to the City of Chesterfield. That 1,500 tons of rock salt has been secured, at a price of \$22.55/ton, as a result of Chesterfield's participation in a cooperative purchase agreement with approximately twenty (20) other municipalities throughout the metropolitan area. Based upon bids received, it is proposed that the City of Chesterfield accept the bid submitted by American Salt Company, totaling \$26.07/ton. Mr. Herring supported Bill Hawn, Director of Public Works/City Engineer, and Jan Kluba, Finance Director, in recommending that this proposal be approved by City Council. A motion was made by Councilmember Schroeder, seconded by Councilmember Tilley, to accept this bid of \$26.07/ton of rock salt. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that the current FY1990 Budget contains an appropriation of \$15,600 for the purchase of a microfilm reader/printer. Bids were recently sought for the purchase of this piece of equipment. Finance Director Jan Kluba, proposes that a bid be accepted and that a contract be awarded to Microfilm Techniques, Inc. for the purchase of one (1) Minolta RP507, at a total cost of

\$14,608.00. The bid results had been reviewed and approved by Bill Hawn, Director of Public Works/City Engineer, Jerry Duepner, Director of Planning/Economic Development and Ms. Kluba. Based upon their review and recommendation, Mr. Herring joined with them in recommending that the bid submitted by Microfilm Techniques, Inc. for the purchase of one (1) Minolta RP507, at a total cost of \$14,608.00, be approved by City Council. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to accept this bid as submitted. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

## LEGISLATION

**BILL #534 AUTHORIZES THE CITY ADMINISTRATOR OF THE CITY OF CHESTERFIELD TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF CHESTERFIELD WITH THE STATE OF MISSOURI TO PROVIDE A HORIZONTAL CONTROL SURVEY NETWORK WITHIN THE CORPORATE LIMITS OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #534. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #534 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #534. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #534 was read for the second time. A roll call vote was taken for passage and approval of Bill #534, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #534 approved, passed it and it became ORDINANCE #531.

**BILL #535 PERTAINS TO THE ACCEPTANCE OF CERTAIN STREETS AS PUBLIC STREETS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #535. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #535 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #535. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #535 was read for the second time. A roll call vote was taken for passage and approval of Bill #535, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #535 approved, passed it and it became ORDINANCE #532.

**BILL #542APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for the first reading of Bill #542. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #542 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #542. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #542 was read for the second time. A roll call vote was taken for passage and approval of Bill #542, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #542 approved, passed it and it became ORDINANCE #533.

**BILL #540REPEALS ORDINANCE #328 AND SUBSTITUTES A NEW ORDINANCE RELATING TO THE BOARD OF POLICE COMMISSIONERS FOR THE CITY OF CHESTERFIELD AND ENACTS AN ORDINANCE RELATING TO THE ESTABLISHMENT OF THE BOARD OF POLICE COMMISSIONERS FOR THE CITY OF CHESTERFIELD AND INCLUDES PROVISIONS FOR THE APPOINTMENT, PROMOTION, SUSPENSION, DEMOTION AND DISCHARGE OF POLICE OFFICERS**

A motion was made by Councilmember Hurt, seconded by Councilmember Bute, for the first reading of Bill #540. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #540 was read for the first time.

A motion was made by Councilmember Hurt, seconded by Councilmember Politte, for a second reading of Bill #540. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #540 was read for the second time. A roll call vote was taken for passage and approval of Bill #540, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #540 approved, passed it and it became ORDINANCE #534.

**BILL #541PROHIBITS SMOKING IN DESIGNATED PUBLIC PLACES, PROVIDING FOR ENFORCEMENT OF THE SECTION AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #541. A voice vote was taken with a unanimous affirmative result and the motion

was declared passed. Bill #541 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #541. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #541 was read for the second time. A roll call vote was taken for passage and approval of Bill #541, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #541 approved, passed it and it became ORDINANCE #535.

#### LEGISLATION - PLANNING COMMISSION

**BILL #536 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE TO ALLOW A COMMERCIAL SERVICE PROCEDURE IN THE "NU" NON-URBAN DISTRICT FOR A .9 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF OLIVE BOULEVARD APPROXIMATELY FOUR HUNDRED (400) FEET SOUTH OF APPALACHIAN TRAIL**

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for the first reading of Bill #536. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #536 was read for the first time.

Prior to the call for the second reading of Bill #536, Councilmember Greenwood expressed her concern that Attachment A does not specify the exact number of vehicles that can be parked behind the building. After much discussion, Attachment A Section 3 B1 was amended to permit three (3) vehicles to be parked overnight behind the building. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, to amend Attachment A accordingly. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for a second reading of Bill #536 as amended. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #536 was read for the second time. A roll call vote was taken for passage and approval of Bill #536, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #536 approved, passed it and it became ORDINANCE #536.

**BILL #537AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE TO ALLOW A COMMERCIAL SERVICE PROCEDURE IN THE "NU" NON-URBAN DISTRICT FOR A .5 ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF OLIVE BOULEVARD APPROXIMATELY THREE HUNDRED (300) FEET SOUTH OF APPALACHIAN TRAIL**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #537. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #537 was read for the first time.

This bill was amended to read the same as Bill #536 by changing Attachment A to reflect three (3) vehicles to be parked overnight behind the building. A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #537. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #537 was read for the second time. A roll call vote was taken for passage and approval of Bill #537, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #537 approved, passed it and it became ORDINANCE #537.

**BILL #538 AMENDS THE CITY OF CHESTERFIELD ORDINANCE BY PROVIDING FOR SUBSTANCE ABUSE TREATMENT FACILITIES AS A CONDITIONAL USE IN THE "NU" NON-URBAN DISTRICT AND EACH "R" RESIDENCE DISTRICT WITHIN THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #538. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #538 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Politte, for a second reading of Bill #538. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #538 was read for the second time. A roll call vote was taken for passage and approval of Bill #538, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #538 approved, passed it and it became ORDINANCE #538.

**BILL #539 AMENDS THE CITY OF CHESTERFIELD ZONING ORDINANCE BY PROVIDING FOR OUTPATIENT SUBSTANCE ABUSE TREATMENT FACILITIES AS A CONDITIONAL USE IN THE "C-2" AND "C-3" COMMERCIAL DISTRICTS WITHIN THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD**

A motion was made by Councilmember Bute, seconded by Councilmember Greenwood, for the first reading of Bill #539. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #539 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Tilley, for a second

reading of Bill #539. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #539 was read for the second time. A roll call vote was taken for passage and approval of Bill #539, with the following results: Ayes - Greenwood, Schroeder, Bute, Hurt, Politte, and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #539 approved, passed it and it became ORDINANCE #539.

#### ADJOURNMENT

A motion was made by Councilmember Greenwood, seconded by Councilmember Bute, 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 7:38 P.M.

Mayor Jack Leonard

#### ATTEST:

Martha L. DeMay, City Clerk