
RECORD OF PROCEEDINGS

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD
AT 922 ROOSEVELT PARKWAY
ON DECEMBER 19, 1988

The meeting was called to order at 7:30 p.m.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor Fred Steinbach
Councilmember Charles Fawcett
Councilmember Ward Overall
Councilmember Richard Hrabko
Councilmember Doug Hartman
Councilmember Jack Neiner
Councilmember Barry Flachsbart
Councilmember Jade Bute
City Attorney, Doug Beach
City Administrator, Michael Herring

The Pledge of Allegiance and Flag Ceremony was presented by eight members of Daisy Troop 982 from Shenandoah Valley School: Courtney Browne, Julie Fortier, Christy Frank, Kate Healey, Stevie Lewis, Jennifer Neal, Allyson Pokres and Courtney Williams. Also in attendance were troop leaders Marilyn Fortier and Ellen Pokres.

The Rev. David Belt from Green Trails Methodist Church led the City Council in prayer.

APPROVAL OF MINUTES

The minutes of the December 5, 1988, meeting were submitted for approval. A motion was made by Councilmember Overall to approve the Minutes. A roll call vote was taken for approval of the Minutes with the following results: Ayes - Fawcett, Hrabko, Hartman, Neiner, Flachsbart, Overall, Bute, Frank. Nays - None. The Minutes were approved.

INTRODUCTORY REMARKS - MAYOR FRED STEINBACH

Mayor Fred Steinbach stated that the next meeting of the City Council will be on Tuesday, January 3, 1989 rather than Monday, January 2, 1989 at 7:30 p.m. at City Hall.

Mayor Steinbach next stated that the normally scheduled Planning Commission Meeting of December 26, 1988, will be cancelled due to the holidays. The next meeting will be held on January 9, 1989.

COUNCIL COMMITTEE REPORTS

Public Works Committee

Councilmember Charles Fawcett, Chairperson of the Public Works Committee, stated that all new equipment is in and operational. The maintenance crews have been covering their routes and getting familiar with the streets in case a snow storm does occur. The street department has 14 men working. The crews are not being utilized for crack ceiling for 2 miles in the Gallery of Chesterfield Subdivision and 2 1/2 miles in the Bent Tree Subdivision, and 1 8/10 miles of the Chamfers Farm Subdivision. Guard rails have been placed on Old Clarkson Road where there is a traffic hazard. Sign maintenance and street patching work is in progress.

Planning / Economic Development Committee

Councilmember Hrabko, Chairperson of the Planning / Economic Development Committee, stated that the Planning / Economic Development Committee has reviewed the two bills scheduled to be introduced tonight. Bill #227 deals with a request from a petitioner for an amendment to the "C-8" Planned Commercial District Ordinance for PC-192-87, the Long Road Realty, a commercial development on Wild Horse Creek Road and Long Road. The petitioner is asking for an amendment to allow for six (6) buildings in lieu of five (5) buildings, which were originally permitted under the ordinance. The Planning Commission recommended approval of the amendment by a vote of 8 to 0. The Planning / Economic Development Committee has voted unanimously to recommend approval of this recommendation to the Council. Councilmember Hrabko next stated the Bill #228 provides for the approval of the record plat, easement and escrow for Baxter Crossing Apartments, located at Baxter Road. The City has received the escrow amount and the landscape plan from the developer. The Planning Commission voted unanimously to recommend approval and this action was also recommended by the Planning / Economic Development Committee.

Councilmember Hrabko reported on a proposed policy on rezoning outside the City's corporate limits. St. Louis County has provided to the City of Chesterfield with information on zonings that are occurring contiguous to the City of Chesterfield boundaries. The Planning / Economic Development Committee voted unanimously to recommend that the following procedures be adopted: All notices of rezoning submitted to the City of Chesterfield by St. Louis County will be reviewed by this Committee and commented upon only if the Committee agrees unanimously. Otherwise, the matter will be submitted to the entire Council for review and comment. On a motion by Councilmember Hrabko, seconded by Councilmember Flachsbart, the Council voted unanimously to approve this proposed policy.

Next, a motion was made by Councilmember Hrabko, seconded by Councilmember Bute, that all future requests for amendments to planned commercial districts be forwarded directly to the Planning Commission. A voice vote was taken with an affirmative result and the motion was declared passed. This will preclude the need to first submit such items to City Council.

Councilmember Hrabko reported that at the present time, the City is sending public hearing

notices to all property owners within 200 feet of any rezoning or special procedure requests. A motion was made by Councilmember Hrabko, seconded by Councilmember Bute, that public hearing notices be sent to not only the property owners within 200 feet of the requested tract, but also to the nearest contiguous parcel. A voice vote was taken with an affirmative result and the motion was declared passed.

Finally, a motion was made by Councilmember Hrabko, seconded by Councilmember Bute, to refer the petition for vacation of an easement on a portion of Old Wild Horse Creek Road to the Department of Planning for their review. A voice vote was taken with an affirmative result and the motion was declared passed.

Finance & Administration Committee

Councilmember Neiner, Chairperson of the Finance & Administration Committee, stated that there was a Public Hearing on the proposed budget for the fiscal year beginning January 1, 1989 and ending December 31, 1989. There were no corrections, additions or changes to the budget. The budget had been previously reviewed by all Committees of Council and recommended for approval.

RESOLUTION #43 A RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF CHESTERFIELD FOR THE YEAR BEGINNING ON JANUARY 1, 1989 AND ENDING DECEMBER 31, 1989.

A motion was made by Councilmember Neiner, seconded by Councilmember Frank, to adopt Resolution #43.

A voice vote was taken for passage and approval of Resolution #43, and the resolution was approved unanimously.

RESOLUTION #44 A RESOLUTION ESTABLISHING AND MAKING AVAILABLE TO THE EMPLOYEES OF THE CITY OF CHESTERFIELD A FLEXIBLE BENEFIT PLAN UNDER SECTION 125 OF THE INTERNAL REVENUE CODE

Councilmember Neiner stated that at the Finance and Administration Committee meeting, it was voted unanimously to recommend approval of Resolution #44 which provides for the implementation of a premium conversion plan for all employees of the City of Chesterfield effective January 1, 1989. This premium conversion plan permits all employees, under the tax law, to deduct a portion of the payment of the health care plan before taxes.

A motion was made by Councilmember Neiner, seconded by Councilmember Bute, to establish and make available to the employees of the City of Chesterfield a flexible benefit plan. A voice vote was taken for passage and approval of Resolution #44 and the resolution was approved unanimously.

BILL #45 A RESOLUTION AUTHORIZING THE CITY OF CHESTERFIELD TO

PARTICIPATE IN THE STATE OF MISSOURI COOPERATIVE PROCUREMENT PROGRAM

Councilmember Neiner introduced Resolution #45 which authorizes the City of Chesterfield to participate in the State of Missouri Cooperate Procurement Program. Under the program, the City is allowed to participate, with other Municipalities, in a state wide procurement program. It will save the City a considerable amount of money on our purchases, in cooperation with other municipalities. There are no restrictions on this program. The City can still solicit bids from other vendors and suppliers.

A motion was made by Councilmember Neiner, seconded by Councilmember Frank, to authorize the City of Chesterfield to participate in the State of Missouri Cooperative Procurement Program.

A roll call vote was taken for passage and approval of Resolution #45 with the following results: Ayes - Fawcett, Flachsbart, Frank, Hrabko, Neiner, Overall, Bute, Hartman. The motion was declared passed.

Councilmember Neiner then stated that St. Louis County had submitted an unsolicited proposal to the City for a continuation of police services at a cost of \$2,000,000 for a 12 month period. The City's budget for police services for Fiscal year 1989 is \$2,800,000. Mr. Neiner stated that he felt that additional information was needed concerning this proposal. However, a discussion had taken place during the Council Work Session and a vote was taken on whether to invite Col. Kleinknecht to a meeting to further discuss the proposal and answer some of the questions the City Council might have. The vote was defeated. Mr. Neiner stated that he wished to have this earlier vote made a part of the minutes.

With this in mind, a motion was made by Councilmember Neiner, seconded by Councilmember Frank, to invite Col. Kleinknecht to a meeting held at City Hall to discuss in detail the police proposal submitted to the City on Thursday, December 15, 1988, for a continuation of the contract for police services with St. Louis County.

Councilmember Flachsbart urged the City Council to defeat this motion because he believes it is too late since tests for the hiring of Police Lieutenants and Captains are being scheduled.

Councilmember Frank spoke in favor of the motion and stated that since the potential of an \$800,000 savings to the City of Chesterfield exists, the City can ill afford not to at least listen to Col. Kleinknecht.

Councilmember Hartman stated that the issue is more than just a savings of dollars and cents. The key issue is local control of services. The residents of Chesterfield voted overwhelming for incorporation early this year, and in doing so, voted for local control of Public Works, Planning & Zoning and Police Protection. St. Louis County did an excellent job, but now it is time for the City Council to fulfill that manadate. The City needs to control its own services.

Councilmember Fawcett added that he has a great admiration for the Police Chief, and he is a

member of the Police Committee, but to not take a serious look at a proposal that would cut the City's budget by 15% is inexcusable. The proposal should be given a public airing so the residents of Chesterfield will have confidence in the judgement calls of the City Council.

Councilmember Bute stated that she agrees with Councilmember Hartman that the decision on the Police Department should not be based solely on dollars but on what we think the residents of Chesterfield want provided to them. The proposal to establish a police department is fully funded within the Fiscal Year 1989 Budget.

The motion was repeated by Councilmember Neiner, seconded by Councilmember Frank, to invite Col. Kleinknecht, Superintendent of Police, St. Louis County, to appear before the City Council for the purpose of discussing, clarifying and responding to any questions from the Council regarding the proposal to extend a full service contract for police services.

A roll call vote was taken with the following results: Ayes - Fawcett, Frank, Neiner. Nays - Hartman, Bute, Flachsbart. Abstain - Hrabko, Overall. Whereupon Mayor Fred Steinbach declared the motion tied. Mayor Fred Steinbach broke the tie with a vote of Nay and the motion was defeated.

Mayor Fred Steinbach then stated , in his opinion, that the people of Chesterfield are very well represented by this City Council. The Council would not be a good governmental body if it did not have people, who not only looked at the best interests of the community, but fiscal responsibility as well. Mayor Fred Steinbach applauded those that thought it was within the best interest to continue to look at the County's proposal because of monetary potential savings. However, Mayor Steinbach stated the he believed that the decision was made long ago by the people of Chesterfield when they incorporated that they wanted the most precious of municipal services, a Police Force. Mayor Steinbach said he had the highest admiration for Col. Kleinknecht, who is an internationally respected law enforcement officer. The dollars are significant, and the City thanks the county for alerting the City of Chesterfield of the possibility of a savings. The City would welcome any suggestions from Col. Kleinknecht or Capt. Dennis Long in terms of how to save the City money. All other first class municipalities have their own police force. Somewhere along the line, they had to bite the bullet and move forward and the City Council has chosen to do exactly that.

Councilmember Flachsbart stated that St. Louis County offered to provide services to the City of Chesterfield for dispatching at \$246,000 per year beginning June 1, 1989, or full police services for \$2,000,000 per year beginning June 1, 1989. A motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to send a letter to Col. Kleinknecht declining the full police services option but requesting that Col. Kleinknecht alert the City of Chesterfield of any ways that we might provide quality police services at less cost. Further that the City tell Col. Kleinknecht that we will consider the offer for dispatching services along with other competing offers.

Councilmember Frank stated that he is in favor of going ahead with considering the dispatching services proposal, but he can't vote for this motion because it is tied in with not accepting the \$2,000,000 proposal.

A motion to amend the previous motion was made by Councilmember Flachsbart, seconded by Councilmember Bute, to send a letter to Col. Kleinknecht declining the full police services option by requesting that as a capable and experienced police superintendent, he alert us of any ways that the City might provide quality police services at less cost.

Councilmember Fawcett stated that the previous motion is telling Col. Kleinknecht no. In simple words, the City doesn't want to accept their \$2,000,000 offer. The City wants to spend its own money and have its own police force.

A roll call vote was taken with the following results: Ayes - Hartman, Bute, Flachsbart, Neiner. Nays - Frank. Abstain - Fawcett, Hrabko, Overall. Whereupon Mayor Fred Steinbach declared the motion passed.

Public Health & Safety Committee

Councilmember Flachsbart, Chairperson of the Public Health & Safety Committee, stated that the committee will hold a meeting on December 20, 1988.

REPORT OF THE CITY ADMINISTRATOR

City Administrator Herring reported on the bid results on Group Life, Accidental Death and Dismemberment and Long Term Disability Insurance. As approved by Council, the City of Chesterfield solicited the services of a consultant to survey the market place and see what is available to the City in terms of proposals that could be evaluated for the provision of Life, Accidental Death and Dismemberment Insurance as well as Long Term Disability Insurance for our Employees. A consultant submitted a report back to members of the Finance and Administration Committee. They have met as a Committee and have recommended the following for consideration by the entire City council: that a proposal submitted by Sun Financial Life, as a cost of \$.22/1,000 for Life and Accidental Death and Dismemberment Insurance, be accepted by the City Council at no cost to the employees of the City of Chesterfield. The Finance & Administration Committee is recommending that a proposal submitted by Centennial Life Insurance Company, at a cost of \$.53/100 for Long Term Disability Insurance, be accepted as well. Those present costs, given the present employee base of the City of Chesterfield, will total \$178.70 for the Life and Accidental Death and Dismemberment and \$3,808.08 for Long Term Disability Insurance per month on current employee census. A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett to accept the proposal submitted by Centennial Life Insurance Company at a cost of \$.53/100 for long Term Disability Insurance. A voice vote was taken with an affirmative result and the motion was declared passed.

City Administrator Herring next stated that the City of Chesterfield is responsible, under state law, to provide Workmen's Compensation Insurance for the City's employees in case of any injuries on the job, which includes payment of medical of any injuries on the job, which includes payment of medical costs, as well as time lost on the job. The City of Chesterfield has an opportunity to designate that doctor of facility to whom all employees, who are injured on the job in Workmen's Compensation related injuries, report for treatment and evaluation. The City

requested proposals from Deaconess Med-Center at Clarkson Square and Missouri Baptist Med-Stop at Hilltown Village Center. A proposal was not received from Missouri Baptist Med-Stop. The proposed association between Deaconess Med-center and the City of Chesterfield was submitted to the carrier of the City's Workmen's compensation Insurance to make sure that they, as a carrier and provider of Workmen's Compensation Insurance, agree with the City's recommendation to the Council tonight. The insurer, which is St. Louis Area Insurance Trust, comprised of 21 other municipalities in St. Louis County, has agreed with this recommendation. This recommendation has been submitted, reviewed and approved unanimously by the members of the Finance & Administration Committee. A motion was made by Councilmember Hrabko, seconded by Councilmember Overall to accept the proposal submitted by Deaconess Med-Center. A voice vote was taken with an affirmative result and the motion was declared passed.

City Administrator Herring added that the City Hall will be closed a half a day this Friday, December 23, 1988, and December 26, 1988. City Hall will also be closed on January 2, 1989.

City Administrator Herring reported that a request has been submitted by Texaco refining and Marketing Inc. for a liquor license to sell 5% beer in the original package and wine coolers at 909 Schoettler Raod, which is on the corner of Schoettler and Olive Street Road. The request for a liquor license has been approved by Jerry Duepner, Director of Planning/Economic Development and Police Chief, Ray Johnson. A motion was made by Councilmember Bute, seconded by Councilmember Overall to approve a liquor license for Texaco refining and Marketing Inc. A voice vote was taken with an affirmative result and the motion was declared passed.

LEGISLATION

BILL #226

AN ORDINANCE AMENDING ORDINANCE NUMBER 53 AS IT RELATES TO THE SALE OF INTOXICATING LIQUOR FOR CONSUMPTION ON THE PREMISES ON ELECTION DAY BY DELETING PORTIONS OF SECTION 12 AND SUBSTITUTING A NEW SECTION 12 (A)

A motion was by Councilmember Flachsbart, seconded by Councilmember Bute for a first reading of Bill #226 as amended. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #226 was read for the first time.

A motion was made by Councilmember Fawcett for a second reading of Bill #226 as amended. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #226 was read for the second time. A roll call vote was taken for passage and approval of Bill #226 with the following results: Ayes - Fawcett, Hrabko, Overall, Hartman, Bute, Frank, Flachsbart. Nays - None. Whereupon Mayor Fred Steinbach declared the Bill #226 approved, passed it and it became ORDINANCE #225.

BILL #229

AN ORDINANCE APPROVING THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was by Councilmember Hrabko, seconded by Councilmember Bute for a first reading of Bill #229. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #229 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko for a second reading of Bill #229 . A voice vote was taken with an affirmative result and the motion was declared passed. Bill #229 was read for the second time. A roll call vote was taken for passage and approval of Bill #229 with the following results: Ayes - Fawcett, Hrabko, Overall, Hartman, Bute, Frank, Flachsbart. Nays - None. Whereupon Mayor Fred Steinbach declared the Bill #229 approved, passed it and it became ORDINANCE #226.

BILL #227

AN ORDINANCE AMENDING ST. LOUIS COUNTY ZONING ORDINANCE NUMBER 13,574 WHICH PROVIDED FOR A "C-8" PLANNED COMMERCIAL DISTRICT AND THE "FPC-8" FLOOD PLAIN PLANNED COMMERCIAL DISTRICT OF A TRACT OF LAND BEING DEVELOPED UNDER THE NAME OF DUGSFORD COMMONS

A motion was made by Councilmember Hrabko, seconded by Councilmember Bute for a first reading of Bill #227. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #227 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko for a second reading of Bill #227 . A voice vote was taken with an affirmative result and the motion was declared passed. Bill #227 was read for the second time. A roll call vote was taken for passage and approval of Bill #227 with the following results: Ayes - Fawcett, Hrabko, Overall, Hartman, Bute, Frank, Flachsbart. Nays - None. Whereupon Mayor Fred Steinbach declared the Bill #227 approved, passed it and it became ORDINANCE #227

BILL #228

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE RECORD PLAT, EASEMENT PLAT AND ESCROW FOR BAXTER CROSSINGS APARTMENTS

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko for a first reading of Bill #228. A voice vote was taken with an affirmative result and the motion was declared passed. Bill #228 was read for the first time.

A motion was made by Councilmember Bute, seconded by Councilmember Hrabko for a second reading of Bill #228 . A voice vote was taken with an affirmative result and the motion was declared passed. Bill #228 was read for the second time. A roll call vote was taken for passage and approval of Bill #228 with the following results: Ayes - Fawcett, Hrabko, Overall, Hartman, Bute, Frank, Flachsbart. Nays - None. Whereupon Mayor Fred Steinbach declared the Bill #228 approved, passed it and it became ORDINANCE #228.

COMMUNICATIONS & PETITIONS

Mrs. Betty Hathaway expressed a concern over the surface on the newly constructed section of Olive Street Road, North of Highway 40. Mrs. Hathaway feels that the City of Chesterfield should communicate with the Highway Department and tell them the feeling of the residents relevant to the installation of the road.

City Administrator Herring stated that construction on the road has not been completed. Work was hurried in order to complete the project enough to get the City through the winter months. The State fully intends to have the contractor back in the spring to finish the job. At that time, the contractor will put a smooth level finish coat on the road. Councilmember Fawcett added that when the final coat is put on the road, the temperature has to be over 60 degrees.

Mrs. Hathaway inquired as to why the same material was not used on the intersection of Olive Street Road and Clarkson Road as was used on the intersection of Olive Street Road and Woods Mill Road. Councilmember Fawcett added that the stated used material that was equivalent to the material used at the Woods Mill Road intersection. All materials used have to comply with State Highway Standards.

Councilmember Fawcett stated that in order to have concrete paving, forms are set and large sections are done one at a time. If there is constant traffic on a road, the state uses Xmix, which is rock and asphalt mixed together. It has the equivalent life wearing capacity of concrete.

Mayor Fred Steinbach stated that he and City Administrator Herring are meeting with Mr. J.T. Yarnell on Friday morning and they will discuss the road covering with him. City Administrator Herring will give Mrs. Hathaway a written response as to the covering on Olive/Clarkson Road and the anticipated completion date.

ADJOURNMENT

A motion was made by Councilmember Hrabko, seconded by Councilmember Fawcett 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 8:30 p.m.

Mayor Fred Steinbach

ATTEST:

City Clerk