



## RECORD OF PROCEEDING

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MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT  
922 ROOSEVELT PARKWAY, DECEMBER 20, 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:

PRESENTABSENT

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 #2466 from Incarnate Word School: Kelly Ebeling, Tina Azzam, Megan Chronister, Rebecca Collins, Carrie DeCarli, Torrie Dunlop, Sadie Heavner, Lisa Ewing, Laura Graham, Lauren Holmes, Clare Kaiser, Jessica Keim, Katie Kloeckner, Allison Kreutzjans, Amanda Kyburz, Sophie Scully and Carrie Seyer. Also in attendance were Troop Leaders Mary Jane Kaiser, Susan Harris, Nancy Heavner, Corinne Collins and Elizabeth Kyburz.

Mr. Tim Bishop from the Church of Latter Day Saints #3 led the City Council in prayer.

The minutes of the Budget Public Hearing, December 6, 1993, was submitted for approval. A motion was made by Councilmember Hilbert, seconded by Councilmember Greenwood, to approve the minutes, as corrected. A voice vote was taken with a unanimous affirmative result and the

motion was declared passed. The minutes of the December 6, 1993, Council 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. Jim Breckenridge, who resides at 324 Stonecrest Court, expressed his support for the Parks Master Plan and encouraged City Council to resolve their differences and "speak with one voice" prior to going before the residents with a proposed parks plan. He urged Council to buy land and hire a parks/recreational director.

Mr. Frank Purviance, who resides at 26 Forest Crest Drive, requested suspension of the rules and that Bill #884, which relates to intersection stop signs in his subdivision, be read twice at this meeting.

### INTRODUCTORY REMARKS

Mayor Jack Leonard reminded those in attendance that candidate filing for Councilmember in each of the four Wards begins January 4, 1994, at 8:00 A.M. and ends February 1, 1994, at 5:00 P.M.

Mayor Leonard next wished everyone in attendance a Happy Holiday!

Mayor Leonard next presented Certificates of Appreciation to Mr. Bob Mooney and St. Alban's Catholic Church and Reverend Ralph Green and Antioch Baptist Church for their tireless efforts in the flood recovery effort.

Mayor Leonard next presented 1993 Mayors End Hunger Award Certificates to Councilmember Linda Tilley, Nancy Levinson and Barbara McGuinness, who worked diligently in getting food donated to feed the many volunteers working on the flood clean-up effort in the Valley.

### COUNCIL COMMITTEE REPORTS

#### Finance and Administration

Councilmember Nancy Greenwood, Chairperson of the Finance and Administration Committee, reported that, as the result of much discussion in the Work Session, City Council has agreed to eliminate the Work Session and will meet at 7:00 P.M. for the Council meetings only. A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, to eliminate the Work Session and meet at 7:00 P.M. for the Council meeting. All votes will be taken at this meeting. A voice vote was taken with an affirmative result (Councilmembers Levinson, Hrabko and Tilley voted "No") and the motion was declared passed.

Councilmember Greenwood next reported that the Committee had discussed and recommended that the issuance of vending machine licenses be handled by the Finance Department along with the

business license process and enforcement of the ordinance be escalated. As a result of discussion in the Work Session, a motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, to refer this issue back to the Finance and Administration Committee. Prior to a vote being taken, a motion was made by Councilmember Hurt, seconded by Councilmember Tilley, to table this issue. A roll call vote was taken with the following results: Ayes - Hilbert, Greenwood, Hurt, Politte, Tilley. Nays - Clarke, Levinson, Hrabko. The motion was declared passed. City Attorney Doug Beach reminded members of the Council that issuance of vending machine licenses can be discussed, once again, when it is removed from the table at a subsequent meeting.

Councilmember Greenwood announced that the next meeting of this Committee has been scheduled for January 11, 1994, at 5:30 P.M.

### Planning and Zoning

Councilmember Susan Clarke, Chairperson of the Planning and Zoning Committee, reported that Bill #'s 880, 881, 882 and 883 will be considered for adoption under the Legislation portion of the agenda. The petitioner of Bill #867, which appears on the agenda, has requested it be placed on hold. A motion was made by Councilmember Hrabko, seconded by Councilmember Greenwood, to hold Bill #867 at the petitioner's request. A voice vote was taken with an affirmative result (Councilmember Clarke voted "No") and the motion was declared passed.

Councilmember Clarke announced that the next meeting of this Committee which had been scheduled for December 22, 1993, has been canceled and will be rescheduled.

### Public Works/Parks

Councilmember Alan Politte, Chairperson of the Public Works/Parks Committee, reported that Black and Veatch has been awarded the contract for the Wilson Road Project. The bid submitted by Black and Veatch totaled \$114,042. \$80,000 has been allocated in the budget for this project. Thus, a budget transfer of \$34,042 will be needed to transfer the funds from the sidewalk account to the project account. This ISTEA project is funded 80% by the federal government with locally matching funds of 20%. A motion was made by Councilmember Politte, seconded by Councilmember Tilley, to transfer \$34,042 from the sidewalk account to the appropriate account in order to meet the 20% obligation in this project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Politte next reported that Booker Associates will make another presentation of the Parks Master Plan at a Public Hearing scheduled for January 27, 1994, at 7:00 P.M. Councilmember Politte urged the residents to attend this Public Hearing.

Councilmember Politte announced that the next meeting of this Committee has been scheduled for January 19, 1994, at 7:00 P.M.

### Public Health and Safety

Councilmember Linda Tilley, Chairperson of the Public Health and Safety Committee, reported that

the Committee had discussed several violations by the Waterway Gas and Wash with regard to the sale of alcohol to minors. As a result, the Committee voted unanimously to direct City Administrator Herring to send a strongly worded letter to the owner of the establishment noting any future offenses may result in revocation of the liquor license.

Councilmember Tilley next reported that several representatives from the Parkway and Rockwood School Districts met with the Committee to discuss the recently reported incidents at area schools. As a result of the discussion, the Committee recommends that City Council meet with the two district school boards, in separate meetings, to develop possible resolutions to these problems. Mr. Herring will contact the representatives of the school districts to schedule these meetings.

Councilmember Tilley next reported that Bill #884 will be considered for adoption under the Legislation portion of the agenda.

Councilmember Tilley next reported that the Committee voted unanimously to recommend City Council approve the City of Chesterfield Police Department participate in the Police Career Enhancement Program. This program would allow interested members of the Police Department to be temporarily assigned to outside agencies to increase their knowledge and skills in other areas. A motion was made by Councilmember Tilley, seconded by Councilmember Clarke, to approve participation of the Chesterfield Police Department in the Police Career Enhancement Program. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Tilley announced that the next meeting of this Committee has been scheduled for January 6, 1994, at 7:00 P.M.

#### REPORT OF THE CITY ADMINISTRATOR

City Administrator Mike Herring reported that the City of Chesterfield has received donations for the flood relief effort totaling \$23,251.16. \$23,201.16 was received through the fund raising activities organized by the Braintree Veterans Council in Braintree, Massachusetts. Mr. Tom Laffin presented the check in person to Mayor Leonard recently. Mayor Leonard attended a ribbon-cutting ceremony for a business establishment at Chesterfield Mall. The "ribbon" was made of one dollar bills. After the Mayor cut the ribbon, the business presented the \$50.00 to the Mayor for the flood relief effort. A motion was made by Councilmember Tilley, seconded by Councilmember Levinson, to give \$23,201.16 to the St. Louis Family Church to assist them in the flood recovery effort. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Greenwood, seconded by Councilmember Clarke, to have Staff send a letter of appreciation to the Braintree Veterans Council for their fund raising efforts on our behalf.

Mr. Herring reported that the following projects had been put on hold, as a result of the time and manpower committed to the flood recovery process. These projects should be approved by the end of the year, as MSD funding has been granted. With this in mind, bids were recently obtained for the Westbury Stormsewer Project (Ward I) to improve the stormsewer system throughout the Westbury Subdivision. Three bids were received with the low bid, submitted by Concrete Design for a total cost of \$72,543.55, exceeding budget by only \$7,764.91. MSD has expanded the scope of work for the Westbury Subdivision project and will enable the City to accomplish more work this year than originally intended. Mr. Herring recommends award of a contract for this project to

Concrete Design, for a total cost of \$72,543.55 and a budget transfer of \$7,764.91 from the Contingency Fund. A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, to award the contract to Concrete Design for a total cost of \$72,543.55 and transfer \$7,764.91 from the current budget to cover the cost of the excess. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently obtained for a stormsewer project at 2138 Courtleigh Drive (Ward III). Having reviewed the bids, Mr. Herring, along with the Director of Public Works/City Engineer Bill Hawn and Assistant City Engineer Mike Geisel, recommends award of the contract to Piffel Excavating for a total price of \$15,924.25. MSD will provide funding assistance totaling \$6,974.75. The cost to the City, which will total \$8,949.50, is slightly below the budgeted amount, which will allow for a slight reduction of the cost overrun for the Westbury project. A motion was made by Councilmember Politte, seconded by Councilmember Levinson, to award Piffel Excavating the contract for a total cost of \$15,924.25 for the stormsewer project on Courtleigh Lane. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were sought for a stormsewer project at 218 River Bend Drive (Ward I). Having reviewed the proposals, Mr. Herring joins with Mr. Hawn and Mr. Geisel in recommending that the contract for this project be awarded to Concrete Design, for a total price of \$35,424.29. It is anticipated that MSD will fund \$13,471.43 of the total cost of the project, making the actual cost to the City of Chesterfield \$21,952.86. A motion was made by Councilmember Hilbert, seconded by Councilmember Greenwood, to award the contract to Concrete Design for a total cost of \$35,424.29 for the River Bend stormsewer project. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that bids were recently received to construction of a sidewalk project in the River Bend Estates Subdivision (Ward I). The low bid for this project was submitted by Concrete Design, totaling \$64,737.00. The FY1993 Budget contains an appropriation of \$125,000 for sidewalk construction projects. Mr. Herring joined with Mr. Hawn in recommending that the bid submitted by Concrete Design, totaling \$64,737.00, be accepted/approved by City Council. A motion was made by Councilmember Greenwood, seconded by Councilmember Levinson, to award the contract to Concrete Design, totaling \$64,737.00 for the sidewalk project in River Bend. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported on Resolution #151 - FY1994 Budget. Having completed the public hearing for the proposed FY1994 Budget, Resolution #151 is submitted for approval by City Council, which will officially adopt the proposed FY1994 Budget. A motion was made by Councilmember Hrabko, seconded by Councilmember Clarke, to adopt Resolution #151. A roll call vote was taken with the following results: Ayes - Greenwood, Clarke, Hurt, Politte, Hrabko, Tilley. Nays - Hilbert, Levinson. The motion was declared passed. It was noted that the execution of expenses in the MIS portion of the budget would not occur until an MIS individual has been hired.

## LEGISLATION

BILL #879 REPEALS ORDINANCE #765 OF THE CITY OF CHESTERFIELD AND CREATES

A NEW ORDINANCE RELATED TO FAIR HOUSING IN THE CITY OF  
CHESTERFIELD

A motion was made by Councilmember Greenwood, 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 Greenwood, seconded by Councilmember Clarke, for the first reading of Bill #879. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #879 was read for the first time.

A motion was made by Councilmember Greenwood, seconded by Councilmember Hilbert, for a second reading of Bill #879. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #879 was read for the second time. A roll call vote was taken for passage and approval of Bill #879, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #879 approved, passed it and it became ORDINANCE #863.

BILL #884AMENDS ORDINANCE #35, SCHEDULE VI OF THE ORDINANCES OF THE  
CITY OF CHESTERFIELD AS IT RELATES TO INTERSECTION  
STOPS BY ADDING A PROVISION THERETO (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 Hilbert, for the first reading of Bill #884. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #884 was read for the first time.

A motion was made by Councilmember Tilley, seconded by Councilmember Hilbert, for a second reading of Bill #884. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #884 was read for the second time. A roll call vote was taken for passage and approval of Bill #884, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #884 approved, passed it and it became ORDINANCE #864.

LEGISLATION - PLANNING COMMISSION

BILL #880AMENDS ST. LOUIS COUNTY ORDINANCE 11,667 AND REPEALING ST.  
LOUIS COUNTY ORDINANCE #11,855 AS AMENDED BY CITY OF  
CHESTERFIELD ORDINANCE #348 RELATING TO A "C-8"

PLANNED COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF CHESTERFIELD AIRPORT ROAD AT VALLEY CENTER DRIVE (P.C. 108-84, BARKEN-DUBINSKY PARTNERSHIP) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Hilbert, for the first reading of Bill #880. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #880 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #880. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #880 was read for the second time. A roll call vote was taken for passage and approval of Bill #880, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte. Nays - Hrabko and Tilley. Whereupon Mayor Leonard declared Bill #880 approved, passed it and it became ORDINANCE #865.

BILL #881 APPROVES THE INSTALLATION OF FIRE HYDRANTS WITHIN THE CITY OF CHESTERFIELD

A motion was made by Councilmember Clarke, seconded by Councilmember Hilbert, for the first reading of Bill #881. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #881 was read for the first time.

A motion was made by Councilmember Politte, seconded by Councilmember Levinson, for a second reading of Bill #881. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #881 was read for the second time. A roll call vote was taken for passage and approval of Bill #881, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #881 approved, passed it and it became ORDINANCE #866.

BILL #882 PROVIDES FOR THE APPROVAL OF THE RECORD PLAT, TRUST INDENTURE, WARRANTY DEED AND ESCROW AGREEMENT FOR SOMERSET PLAT I, A SUBDIVISION LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD, EAST OF LONG ROAD (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Hilbert, for the first reading of Bill #882. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #882 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #882. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #882 was read for the second time. A roll call vote was taken for passage and approval of Bill #882, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #882 approved, passed it and it became ORDINANCE #867.

BILL #883 AMENDS ORDINANCE #788 OF THE CITY OF CHESTERFIELD REGARDING A PLANNED ENVIRONMENT UNIT PROCEDURE IN THE "R-1A" 22,000 SQ. FT. AND "R-2" 15,000 SQ. FT. RESIDENCE DISTRICTS LOCATED ON THE NORTH SIDE OF WILD HORSE CREEK ROAD, EAST OF LONG ROAD (P.Z. 5, 6 & 7-93, HAYDEN COMPANY - SOMERSET) (PLANNING COMMISSION RECOMMENDS APPROVAL)

A motion was made by Councilmember Clarke, seconded by Councilmember Hilbert, for the first reading of Bill #863. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #863 was read for the first time.

A motion was made by Councilmember Clarke, seconded by Councilmember Hrabko, for a second reading of Bill #883. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #883 was read for the second time. A roll call vote was taken for passage and approval of Bill #883, with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko and Tilley. Nays - None. Whereupon Mayor Leonard declared Bill #883 approved, passed it and it became ORDINANCE #868.

ADJOURNMENT

Mayor Leonard entertained a motion to adjourn the meeting to go into Executive Session (closed meeting) for the purpose of discussing personnel. A motion was made by Councilmember Levinson, seconded by Councilmember Hrabko, that the meeting be adjourned. A roll call vote was taken with the following results: Ayes - Hilbert, Greenwood, Clarke, Levinson, Hurt, Politte, Hrabko, Tilley. Nays - None. The meeting was adjourned at 7:55 P.M.

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

ATTEST:

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Martha L. DeMay, City Clerk