

## MEMORANDUM

**DATE:** April 10, 2006  
**TO:** Michael G. Herring, City Administrator  
**FROM:** Chief Ray Johnson  
**SUBJECT:** PUBLIC HEALTH & SAFETY COMMITTEE MEETING

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The Public Health and Safety Committee met on Monday, April 10, 2006. Those in attendance included Chairperson Connie Fults, Ward IV, Councilmember Barry Flachsbart, Ward I, Councilmember Barry Streeter, Ward II, Councilmember Mike Casey, Ward III, City Administrator Mike Herring, City Attorney Rob Heggie and Chief Ray Johnson. Also in attendance were Chesterfield Chamber of Commerce President Joan Schmelig and one citizen.

The meeting was called to order at 7:31 AM by Councilmember Fults.

1. Approval of Minutes – December 19, 2005

Councilmember Flachsbart motioned and Councilmember Casey seconded to approve the minutes of the December 19, 2005 meeting. The motion carried 4-0.

2. Obscenity Ordinance

Chairperson Fults led a discussion regarding the proposed “obscenity” ordinance, which is now a consolidation of previously-assigned Bill #'s 2327 and 2328. This new version no longer attempts to regulate sounds, movies and videos. The new Ordinance proposes to regulate the display of obscene materials in general, as well as the display of material harmful to minors. Councilmember Flachsbart motioned to renumber the sections combining Sections 2 and 3. Councilmember Casey seconded the motion. This motion carried 4-0. Councilmember Flachsbart then motioned to change Section 5 to change the maximum fine to \$1,000.00 as allowed by State Law. This motion carried 4-0.

The Committee members then discussed exact wording in sections. It was agreed that there should be a reference to the previously adopted zoning ordinance, contained within this proposed ordinance. The discussion noted that this proposed ordinance is not intended to correct any current problems; however, it is to protect the community from any extreme issues that may come up in the future.

Councilmember Flachsbart motioned and Councilmember Casey seconded to recommend this proposed ordinance to City Council after the City Attorney has made the recommend changes. After further discussion, the motion carried 3-1 with Councilmember Streeter voting “no”.

3. Boarders Ordinance

The Committee members considered a proposed ordinance, developed by Prosecuting Attorney Tim Englemeyer, City Attorney Rob Heggie and City Administrator Mike Herring. This proposed ordinance would prohibit those who currently reside within a single family dwelling from renting space within said single-family residence to anyone. This proposed ordinance would not prevent a non-family member from staying as a guest nor would it prohibit the renting of an entire house, by the owner of said property. The proposed ordinance would be an amendment to the current zoning code relating to single-family dwellings. Mr. Herring noted that the Mr. Englemeyer has had extensive interaction with various Subdivision Trustees and is strongly recommending the passage of this proposed ordinance. Councilmember Flachsbart motioned and Councilmember Casey seconded to recommend this proposed ordinance to City Council and to change the maximum fine to \$1,000.00 as allowed by State Law. After discussion, the motion carried 4-0.

4. Proposed Revision to Municipal Code Section n 4-11 relating to minors and intoxicating liquor

The Committee members reviewed a proposed ordinance which would amend the City's current ordinance relating to alcohol and minors. Mr. Heggie noted that the legislature has inserted a section into the statutes addressing intoxication by minors, as opposed to simply possession of alcohol by minors. The proposed City Ordinance would reflect that change as a punishable offense for those under twenty-one. Councilmember Streeter motioned and Councilmember Flachsbart seconded to recommend this proposed ordinance to City Council. The motion carried 4-0.

5. Motorized Play Vehicles

Councilmember Casey motioned and Councilmember Streeter seconded to table discussion of this proposed that would regulate motorized play vehicles. The motion carried 4-0. Mr. Herring noted that, in order to discuss this, at a future Committee meeting, a motion would need to be approved, by this Committee, to take this item "off the table" and place it on the agenda for the next, subsequent meeting of this Committee.

6. Portable On-Demand Storage Vehicles

The Committee considered a proposed ordinance regulating the placement of portable on-demand storage in or near public rights-of-way. Councilmember Flachsbart motioned and Councilmember Fults seconded to recommend that this proposed ordinance be recommended to City Council. Discussion ensued regarding the proposed ordinance and it was decided to remove the acronym of "PODS" from the proposed ordinance, since that is a "brand name" and this legislation will apply to anything similar in shape or design. The motion carried 4-0.

There was no other business and the meeting adjourned at 8:40 AM.

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