

MEMORANDUM

DATE: June 29, 2010
TO: Michael G. Herring, City Administrator
FROM: Chief Ray Johnson
SUBJECT: PUBLIC HEALTH & SAFETY COMMITTEE MEETING

The Public Health and Safety Committee met on Monday, June 28, 2010. Those in attendance included Chairperson Bob Nation, Ward IV, Councilmember Barry Flachsbart, Ward I, Councilmember Bruce Geiger, Ward II, Councilmember Mike Casey, Ward III, City Administrator Michael Herring and Chief Ray Johnson.

The meeting was called to order at 7:30 AM by Chairperson Bob Nation.

1. **Approval of Minutes – October 26, 2009**

Councilmember Flachsbart motioned and Councilmember Casey seconded to approve the minutes of October 26, 2009. The motion carried 4-0.

2. **Selection of Vice-Chair and Committee Liaisons**

Councilmember Flachsbart motioned and Councilmember Casey seconded to nominate Councilmember Geiger as Vice-Chairman of the Public Health & Safety Committee. The motion carried 4-0.

Councilmember Casey motioned and Councilmember Geiger seconded to nominate Councilmember Nation as Liaison to the Police Personnel Board. The motion carried 4-0.

Councilmember Casey motioned and Councilmember Geiger seconded to nominate Councilmember Randy Logan (subject to his approval) as Liaison to the Chesterfield Alliance for Positive Youth. Councilmember Logan has been extremely active with this group for the past year. Mr. Herring will contact Councilmember Logan to confirm his willingness to continue serving in this position. The motion carried 4-0. (NOTE: Councilmember Logan agreed to this re-appointment.)

3. **Proposed Ordinances/Revisions**

A. Loitering

Chief Johnson reviewed recent situations of large groups gathering at public places, creating some major concerns for neighboring businesses, customers, and the general public. He noted that he has been discussing the matter with Prosecuting Attorney, Tim Engelmeyer, who has recommended the adoption of a "No Loitering" ordinance. Chief Johnson and Mr. Engelmeyer also suggested a fine of \$1,000.00 and/or three months in jails as a maximum penalty for violation of the proposed ordinance.

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After discussion Councilmember Casey motioned and Councilmember Flachsbart seconded to send the proposed ordinance to City Council with a recommendation for approval. The motion carried 4-0.

B. U-Turn Restrictions

Chief Johnson reviewed a proposed ordinance revision to adopt the prohibition of U-Turns at all intersections controlled by traffic signal or police officer, or at any place where the movement cannot be made safely, such as on a curve or near the crest of a grade. He noted that the current ordinance restricts U-Turns in the "business district" of the City and the revision would clarify where U-Turns would be illegal.

Councilmember Casey motioned and Councilmember Geiger seconded to approve the amendments to the ordinance. Discussion followed.

Councilmember Nation voiced concern about motorists being cited for violations where no signs were posted at signalized intersections. Councilmember Flachsbart suggested that signage be posted at all affected intersections. Mr. Herring noted that all signalized intersections within the City of Chesterfield are on either State or County roadways and those entities would bear the responsibility of the placement of signs; this can only be requested after the amendment to the City Ordinance is approved.

After additional discussion, this item was tabled for the next meeting. Members of the Committee requested additional information including: the number of signs and where needed, the number of signalized intersections in the City, and the number of U-Turn violations written by Police Officers in the past several months.

This item will be placed on the agenda for the next Public Health & Safety Committee meeting.

C. Revision of Seat Belt Ordinance

Chief Johnson proposed a revision to Municipal Ordinance 2576 – Seat Belt Violations. He noted there is a conflict between the Municipal Ordinance and the State Law. The Municipal Ordinance requires the use of seatbelts for passengers less than 16 years of age in the front seat of a motor vehicle only, while the State Law requires that a child less than 16 years of age be secured in the properly adjusted passive restraint regardless of their seating position. The requested revision would make the Chesterfield ordinance consistent with State Law.

After discussion, Councilmember Geiger motioned and Councilmember Casey seconded to recommend the approval of the revised ordinance to City Council. The motion carried 4-0.

4. **DWI Sobriety Checkpoints**

Chief Johnson advised the Committee members of the opportunity for the City to apply for Federal grant money to fund two Sobriety Checkpoint operations in the City of Chesterfield. These checkpoints are very controlled scenarios with the manner of operations set by the Missouri Department of Highway Safety and are targeted at a heavily-traveled areas.

After reviewing photos of another city's checkpoint, Mr. Casey voiced concern that MADD (Mothers Against Drunk Driving) members attendance at a checkpoint. City Administrator Herring noted that this will be an event scheduled on public roadways and their attendance is beyond the City's control. He noted that MADD representatives currently attend our Court, to monitor the enforcement and application of DWI laws. There was further discussion regarding current DWI enforcement within the City.

Councilmember Flachsbart motioned and Councilmember Geiger seconded to forward this information to City Council for discussion, before consideration of grant application. The motion carried 4-0.

5. **No Smoking Request – Brooking Park**

The Committee reviewed a concern regarding smoking at the Brooking Park skilled nursing facility. Currently, smoking is allowed in some private rooms, and in the outdoor courtyard area. The new St. Louis County ordinance, which goes into effect January 1, 2011, will allow 20% of all private rooms to be designated as smoking rooms. There is no restriction for outdoor smoking. The new law will NOT require private, smoking room to be ventilated to the outside. City Administrator Herring noted that Assistant City Administrator Libbey Malberg has attempted to contact the manager of the facility, but he is out of town until later this week. She will discuss the concerns with the Manager and report back to Mr. Herring.

After additional discussion, Councilmember Flachsbart motioned and Councilmember Nation seconded to table this item until additional information is received. The motion carried 3-1 with Mr. Casey voting "no". This item will be placed on the agenda for the next meeting of the Public Health & Safety Committee.

6. **Interview**

The Committee interviewed Mr. Robert Meier, Mayor Nations' nominee to the Police Personnel Board. After discussion, Mr. Casey motioned and Mr. Flachsbart seconded to recommend to City Council the approval of Mr. Meier's nomination. This nomination will be placed on the agenda of the next City Council meeting, scheduled for July 19, 2010.

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7. **Next Meeting**

The next meeting has not been scheduled and will be coordinated by Chief Johnson, when/if there are items requiring the attention of this Committee.

8. **Adjournment**

The meeting adjourned at 8:30 AM.