

RESOLUTION # 103

CITY OF CHESTERFIELD, MISSOURI

A Resolution urging the Metropolitan St. Louis Sewer District to accept the dedication, operation and maintenance of storm water sewers in the City of Chesterfield, Missouri.

WHEREAS, the Metropolitan St. Louis Sewer District ("MSD") was created on July 1, 1954 by vote of the people of the City of St. Louis and St. Louis County, to have sole responsibility for waste water management including both sanitary and storm water sewer systems; and,

WHEREAS, the initial limited boundaries of MSD were expanded in 1977 to encompass all of St. Louis County; and,

WHEREAS, the Agreement between MSD and Fee Fee Trunk Sewer, Inc. did not include the undertaking of maintenance and operation of the storm water sewer systems and facilities by MSD, despite MSD's charter stating that such facilities "shall be transferred and dedicated to the use of and be in the possession and under the jurisdiction, control, and supervision of "MSD"; and,

WHEREAS, because MSD did not extend its responsibility for the maintenance and operation of storm water sewer systems in the annexed area, it is not acting within the spirit and intent of its charter; and,

WHEREAS, as a consequence of MSD's failure to live up to the spirit and intent of its charter, storm water sewer maintenance and operation in areas not currently served by MSD, are being left to the efforts of the individual abilities of abutting property owners, subdivision trustees and/or local government; and,

WHEREAS, MSD has within its charter the ability to extend its area of responsibility for storm water sewer maintenance and operation and to fund emergency repairs and improvements to existing systems;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI, AS FOLLOWS:

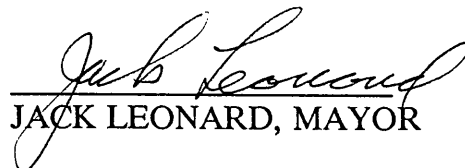
SECTION 1: The City Council of the City of Chesterfield hereby requests that the Metropolitan St. Louis Sewer District acknowledge its responsibility to the entire metropolitan area, for storm water sewer management and proceed to formally extend its boundaries for purposes of accepting for dedication, maintenance and operation, the existing storm water sewer systems in said areas.

SECTION 2: The City Council of the City of Chesterfield specifically requests that the Metropolitan St. Louis Sewer District focus on the particular needs of the residents and property owners in the City of Chesterfield.

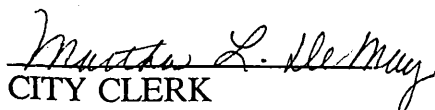
SECTION 3: That the City Administrator is hereby directed to send a certified copy of this Resolution to the Executive Director of the Metropolitan Sewer District, the President of the St. Louis County Municipal League, and the Mayors of all communities located west of I-270.

SECTION 4: This Resolution shall become effective immediately upon its passing.

Passed and approved this 20th day of MAY, 1991.


JACK LEONARD, MAYOR

ATTEST:


CITY CLERK