

1.

The City of Eureka Board of Aldermen met in regular session at 7:00 p.m. The meeting was opened with the Pledge of Allegiance.

Present at roll call were Mayor Coffey, Aldermen Kee, Britt, Sir, Berry, Beckerle and Leistner. Also in attendance were City Administrator Craig Sabo, City Attorney Kathy Butler, Police Chief Michael Wiegand and City Clerk Ralph Lindsey.

2. ELECTION RESULTS OF APRIL 5, 2011

The official results of the City General Election of April 5, 2011 were read by the City Clerk.

The successful candidates were:

- Mayor - Kevin M. Coffey
- Alderperson Ward I - Wes Sir
- Alderperson Ward II - Marilyn L. Leistner
- Alderperson Ward III - Shannon Britt
- City Collector - Craig E. Sabo

The oath of office was administered to the successful candidates and they were seated at their respective positions.

3. MINUTES

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, the Minutes of April 5, 2011 were approved.

4. GUESTS

A. Eileen Tyrrell addressed the Mayor and Board regarding the recent election. She said she felt the candidates ran on their existing records and did not make a lot of promises. She said she was very happy to be a Eureka resident.

Eileen Tyrrell briefly commented about the upcoming November election and the Rockwood School District's plan to put a property tax levy on the ballot. She said she was very unhappy with the lack of response from the Board of Education to questions she had posed to them. She also said that a number of the reasons stated for the necessity for the additional property tax were no longer valid and it would cost the School District approximately \$180,000.00 to put the issue on the ballot.

Eileen Tyrrell suggested that possibly the City could organize a public forum with the Rockwood Board of Education and the City act as the mediator. She concluded by thanking the City for whatever they could do regarding this matter.

5. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 4-13-11

(The meeting was cancelled; therefore, no Board action is required.)

6. MODULAR/PREFABRICATED STRUCTURAL PERMIT APPLICATION

A. William Hubach, representing Sno Biz - Modular snow cone stand - 225 Thresher (behind Eureka Market).

City Administrator Craig Sabo commented that the application was identical to what had been presented in previous years.

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, the Modular Permit was approved.

7. PROCLAMATION - NATIONAL DAY OF PRAYER

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, City Attorney Kathy Butler read a proclamation in support of Thursday, May 5th as the National Day of Prayer.

Mayor Coffey commented that a public prayer meeting would be held on the City Hall lawn at noon on that day.

8. PROCLAMATION - ARBOR DAY CELEBRATION

On motion by Alderman Leistner, seconded by Alderman Beckerle and unanimously passed, City Attorney Kathy Butler read a proclamation in recognition of April 30th as the 139th Anniversary of Arbor Day.

Mayor Coffey commented that Eureka was actively involved in the planting of trees and was a recipient of the Tree City USA Award.

9. BILL NO. 2270 RE: RESIDENTIAL AUCTION REGULATIONS

The Mayor commented that the proposed Code amendment was in response to a request from a resident on Williams Road who wished to have an auction at his house to sell an accumulation of items which he had collected over many years.

Alderman Britt inquired as to if other cities' regulations on this subject had been checked; the City Administrator said they had not.

Alderman Britt commented that his preference would be to allow only one auction per residence. William Roberts, a local auctioneer, briefly spoke in support of the Code amendment.

Following a brief discussion, on motion by Alderman Berry, seconded by Alderman Sir and unanimously passed, Bill No. 2270 was amended to provide for a maximum of one (1) auction per residence in any twelve (12) month period.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2270 was read for the first time by short title, as amended.

BILL NO. 2270: AN ORDINANCE TO AMEND THE MUNICIPAL CODE RELATING TO RESIDENTIAL AUCTION REGULATIONS.

On motion by Alderman Britt, seconded by Alderman Sir and unanimously passed, Bill No. 2270 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Sir and unanimously passed, Bill No. 2270 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2270 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

The roll call vote was as follows: Alderman Leistner - YES; Beckerle - YES; Berry - YES; Sir - YES; Britt - YES; Kee - YES.

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2270 passed and designated it to be Ordinance No. 2166.

10. BILL NO. 2271 RE: SIGNAGE REGULATION AMENDMENT

Mayor Coffey explained that this bill addressed two (2) items. One amendment would allow ground mounted "flag signs", during business hours, very similar to sandwich board signs and the other would provide for monument sign extensions in situations where, due to property characteristics, a business was difficult to locate by the general public.

Julie Witherspoon distributed copies of their proposed sign extension for Spooner's Frozen Custard. The City Administrator commented that the sign on which the extension was to be located would need to be enclosed, for it to qualify as a monument sign; Julie Witherspoon said she was aware of that requirement.

City Administrator Sabo explained that the process of applying for a monument sign extension would be an administrative procedure and would not require Aldermanic consideration.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2271 was read for the first time by short title.

BILL NO. 2271: AN ORDINANCE TO AMEND THE MUNICIPAL CODE RELATING TO SIGNAGE REGULATIONS.

On motion by Alderman Sir, seconded by Alderman Leistner and unanimously passed, Bill No. 2271 was read for the second time by short title.

On motion by Alderman Kee, seconded by Alderman Leistner and unanimously passed, Bill No. 2271 was read for the third and final time.

Alderman Sir moved, THAT BILL NO. 2271 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Berry.

The roll call vote was as follows: Alderman Sir - YES; Britt - YES; Kee - YES; Berry - YES; Beckerle - YES; Leistner - YES.

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2271 passed and designated it to be Ordinance No. 2167.

11. REVIEW OF SPECIAL USE PERMITS

A. Wal-Mart, Inc. - Expansion of the outdoor corral, greenhouse and outdoor storage and display of landscape materials - 131 Eureka Towne Center.

B. Michael & Tina Butler - Private stable - 899 Eureka Road.

11. CONT'D.

- C. Roadrunner Trailer & Hitch Co. - Sale, repair, outdoor storage, display and fabrication of trailers and hitches - 700 West Fourth Street.
- D. White Castle Systems, Inc. - Drive-through component - 78 Hilltop Village Center Drive.
- E. Price Automotive - Auto service center - 18449 U.S. Highway 66.
- F. Craig Bessinger - Outdoor storage and display of merchandise - 18515 U.S. Highway 66.
- G. First Community National Bank - Drive-through component - 450 Meramec Blvd.
- H. Eureka Truck Tops - Camper top business with outdoor storage and display of merchandise, material and equipment associated with the sale of camper tops with the inclusion of a display lot and sales of utility trailers - 1425 West Fifth Street.

On motion by Alderman Beckerle, seconded by Alderman Kee and unanimously passed, all of the above listed Special Use Permits were extended for a twelve (12) month period.

These permits will be scheduled for review in April, 2012.

Alderman Britt inquired as to if he should recuse himself on Item G; Kathy Butler said it was not necessary.

12. REVIEW OF MODULAR/PREFABRICATED STRUCTURAL PERMIT

- A. Breckenridge Eureka Associates/The Legends Acquisition Corporation - One (1) modular cart barn - The Legends.

On motion by Alderman Leistner, seconded by Alderman Sir and unanimously passed, the permit was extended for twelve (12) months.

This permit will be scheduled for review in April, 2012.

13. PLANNING AND ZONING COMMISSION APPOINTMENT

Mayor Coffey asked Wes Sir if he still wished to serve as the Aldermanic Representative on the Planning and Zoning Commission; he said that he did.

The Mayor requested approval for the reappointment of Wes Sir to the Planning and Zoning Commission.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Mayor Coffey's appointment was approved.

14. BILLS FOR PAYMENT

An amended list of bills was reviewed by the Board.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, the amended list of bills was approved for payment.

15. STATEMENT OF FINANCES - MARCH 31, 2011

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, the Board of Aldermen acknowledged receipt of the financial statements for the period ending 3-31-11.

16. CALL FOR CLOSED SESSION

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, a Closed Session was called for discussion of matters relating to attorney-client privilege and litigation.

17. TRAILS COMMITTEE MEMBERSHIP

Alderman Beckerle commented that when Kathy Arnett moved out of town and resigned from the Trails Committee, she was not replaced. She has moved back in the area and intends to move into their Eureka house when the lessee moves out.

Kathy Butler said that since they still owned property in Eureka, there was no reason she could not be reappointed.

As a result, Mayor Coffey requested approval for the appointment of Kathy Arnett to the Eureka Trails Committee.

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, the Mayor's appointment was approved.

18.

Alderman Sir reported that Brad Burgan was contacted by a Coast Guard Officer who was being transferred to St. Louis, along with 115 other military personnel. The officer leased a condominium from Brad Burgan, and the government recommended Eureka as a place to find housing.

18. CONT'D.

Alderman Sir also wanted to let the Board know that he had received a note from a Hilltop resident thanking everyone who was involved with getting the Forby Road Project to the point of commencement of construction.

19. CITY WATER SOFTENING

Mayor Coffey reported that he and the City Administrator met with John Choinka of GBA and an industry specialist regarding the options available to the City for water softening. They will be reviewing the City's water system and make recommendations.

Alderman Beckerle inquired as to the time required for implementation of a water softening system. The Mayor said that the time would depend on the various required government agency approvals, after which it would likely be 6-12 months for actual construction.

Alderman Sir asked if there would be a town hall meeting when some direction was determined; Mayor Coffey said there would.

20. CLOSED SESSION

21. OPEN SESSION RECONVENED

22. CENTRAL AVENUE SPUR

Following a Closed Session discussion, on motion by Alderman Kee, seconded by Alderman Berry and passed with 5 "YES" votes and 1 "NO" vote (cast by Alderman Britt), the Lions Club was authorized to construct a 5 ft. by 45 ft. concrete sidewalk adjacent to the Central Avenue spur, provided that no safety hazards were created.

23. CHAMBER OF COMMERCE - STREET BOUTIQUE

Economic Development Director Julie Wood reported that the Chamber of Commerce was requesting permission to organize a "Street Boutique" in connection with the May Central Avenue Concert. They would limit the number of vendors to twenty (20) and would only permit Eureka businesses to set up outdoors.

Following a general Aldermanic discussion regarding the potential obstacles with setting up tables in the concert area, there was consensus to wait until the West Frisco Parking Lot Project was completed and then consider such an addition to the Central Avenue Concert on the parking lot.

24.

Julie Wood said she was contacted by Joan Romero, a member of the Wednesday Club, regarding a Post-Dispatch article she had read about recently adopted health laws. The Missouri Foundation for Health will provide free seminars for interested parties. The Wednesday Club would like to hold an informational seminar in Eureka.

The consensus was that the most practical location for the seminar would be the Eureka Police Department court room and that Joan Romero should contact Karen Fijan to schedule a date and time.

25. WEST FRISCO PARKING LOT PROJECT

City Administrator Sabo reported that there were water ponding problems in the alley immediately west of Central Avenue and the best way to remedy the situation would be to address it along with the storm water measures being taken as part of the West Frisco Parking Lot Project. The cost to correct the situation would be approximately \$15,000.00.

The consensus was to proceed as recommended by the City Administrator.

26.

There being no further matters for discussion, the meeting was adjourned at 9:10 p.m.

For a record of the Closed Session at Item No. 20, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk