

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. MINUTES

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, the Minutes of October 18, 2011 were approved.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, the Minutes of October 26, 2011 were approved.

3. GUESTS

A. Marc Whitcomb referred to his bow hunting permit request which was distributed to the Board. He said the location was the same as the two (2) previous years and he was not aware of any reported incidents. He said the request was for the permit to run through 5-31-12, which is the end of the bow hunting season for turkey.

On motion by Alderman Leistner, seconded by Alderman Berry and unanimously passed, the permit was approved.

B. Steve Collins, of 17177 Elm Trail Drive, asked several questions regarding the agenda. He inquired as to what was to be financed with the Certificates of Participation.

City Administrator Sabo explained that the \$5,900,000.00 was to be used to refinance the 2004 Certificates of Participation, fund the water softening project, and provide approximately \$1,000,000.00 for engineering on the City recreation center project.

Mr. Collins also asked about the proposed ordinance for the Special Counsel contract.

The City Administrator explained that the agreement would extend the current contract which the City had with David Klarich, to represent Eureka's interest in matters being considered by the Missouri State Legislature.

Steve Collins said he was not able to attend the last Aldermanic meeting and would like to know about Missy Rathmann's recreation center report.

Mr. Collins was told that the report was postponed and would likely be given at the November 15th meeting.

4. SPECIAL EVENT PERMIT APPLICATION - BONK HARD RACING

Ellen Thompson, representing Bonk Hard Racing, related that their organization conducted six (6), eight (8) hour adventure races throughout the Midwest each year. The races consist of orienteering, canoeing and bicycling. For this race, to be held on December 3rd, the bicycling component is from Greensfelder County Park to Route 66 State Park. Ellen Thompson reviewed the bicycling route through Eureka and the safety measures which are to be taken for the race (complete written information in file).

City Attorney Kathy Butler inquired about the bicycles crossing intersections.

Ellen Thompson said the bicyclists were required to observe all traffic regulations and safety personnel would be stationed at the intersections.

With the discussion concluded, on motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, the Special Event Permit for Bonk Hard Racing was approved.

5. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 10-26-11
(The meeting was cancelled; therefore, no Board action is required.)

6. BILL NO. 2301 RE: AUTHORIZING CERTIFICATES OF PARTICIPATION

Alderman Beckerle asked about the purpose of the Reserve Fund.

Joy Howard explained that the Reserve Fund was included for the benefit of the City and the investors, if for some reason there were any payment shortfalls.

Joy Howard introduced Mark Boatman, with Armstrong Teasdale, who was the Special Tax Counsel on this project.

Joy Howard commented that if the bill was passed this evening, the money would be available on November 15th.

6. CONT'D.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2301 was read for the first time by short title.

BILL NO. 2301: AN ORDINANCE APPROVING THE EXECUTION AND DELIVERY OF CERTIFICATES OF PARTICIPATION (CITY OF EUREKA, MISSOURI, LESSEE), SERIES 2011 IN A PRINCIPAL AMOUNT OF \$5,920,000 FOR THE PURPOSES OF FINANCING THE REFUNDING AND DEFEASING OF CERTAIN OUTSTANDING REFUNDING CERTIFICATES OF PARTICIPATION, SERIES 2004 (CITY OF EUREKA, MISSOURI, LESSEE), AND FINANCING THE ACQUISITION, CONSTRUCTION, REPAIR, IMPROVEMENT, AND INSTALLATION OF WATER SOFTENING EQUIPMENT WITHIN THE CITY'S WATERWORKS SYSTEM, AND THE DESIGNING, ACQUISITION, CONSTRUCTION, REPAIR, AND IMPROVEMENT OF A RECREATION FACILITY WITHIN THE CITY; AND AUTHORIZING AND APPROVING CERTAIN DOCUMENTS, APPROPRIATING FUNDS, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SUCH CERTIFICATES OF PARTICIPATION.

On motion by Alderman Beckerle, seconded by Alderman Sir and unanimously passed, Bill No. 2301 was read for the second time by short title.

On motion by Alderman Kee, seconded by Alderman Leistner and unanimously passed, Bill No. 2301 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2301 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Leistner.

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. 2301 passed and designated it to be Ordinance No. 2197.

7. BILL NO. 2302 RE: SPECIAL COUNSEL CONTRACT

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2302 was read for the first time by short title.

BILL NO. 2302: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR SPECIAL COUNSEL SERVICES.

On motion by Alderman Sir, seconded by Alderman Berry and unanimously passed, Bill No. 2302 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Leistner and unanimously passed, Bill No. 2302 was read for the third and final time.

Alderman Leistner moved, THAT BILL NO. 2302 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Sir.

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

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2302 passed and designated it to be Ordinance No. 2198.

8. RECURRING BILLS FOR APPROVAL

The list of recurring bills, paid in October, was reviewed by the Board.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, the list of recurring bills was approved and accepted for the record.

9. BILLS FOR PAYMENT

An amended list of bills was considered.

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

Mayor Coffey suggested that the City may want to consider purchasing street striping equipment rather than contracting for the service.

City Administrator Sabo commented that this year's cost of \$21,000.00 included a considerable amount of striping. He said that in addition to the cost of the equipment, there would be personnel, maintenance and materials, but the matter would be researched.

10. CALL FOR CLOSED SESSION

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

11.

Alderman Beckerle said he had calls from several residents about the abandoned Safe Routes to Schools Project and the alternate routes proposed by Parks and Recreation Director Missy Rathmann. (See Item No. 16 for additional discussion on this matter.)

Alderman Beckerle requested that the Board be provided with some financial analyses of income projections for the recreation center, based on various design scenarios, and the shortfall compared to operational expenses. He would also like to know the current amount of money committed to the recreation center project.

The City Administrator said that information was currently being prepared and should be ready for the next Aldermanic meeting.

The Mayor commented that a somewhat firm facility plan had been prepared from which the income projections were being calculated.

12.

Economic Development Director Julie Wood informed the Board that THF Realty was close to signing several new tenants at the Eureka Towne Center, including a Catos women's apparel store. Julie Wood also said she was planning to have a meeting with the Park Board, Chamber of Commerce and the Old Town restaurants to discuss the activities planned for the Old Town area in 2012.

Kathy Butler recommended that all businesses in the Old Town area be invited to the meeting since everyone would be impacted by the events.

Alderman Britt commented that Hilltop Village Center was also in need of some assistance in order to draw more attention to that area.

Alderman Sir stated that several events had been suggested for Hilltop Village Center but were turned down by the shopping center management company.

Mayor Coffey said that he would like to see the Frisco Park and gazebo promoted for private use since it was constructed to accommodate fairly large groups. This would also help attract people to the Old Town area.

13. CLOSED SESSION**14. OPEN SESSION RECONVENED****15. CODE INTERPRETATION - RECREATIONAL USES AND ACTIVITIES**

The City Administrator referred to his memo regarding a request from Cindy Ruprecht for a Code interpretation that an equestrian center fall under the Special Use category of "recreational uses and activities" in a Planned Industrial Zoning District. By doing so, a Code amendment would not be required prior to her applying for a Special Use Permit for her property on Allen Road.

The City Attorney commented that Cindy Ruprecht may not be the property owner and the owner of record may not be in favor of the proposed use.

Following a general Aldermanic discussion, it was the consensus of the Board that an equestrian center would not be considered as a recreational use and activity and a Code amendment would be necessary.

16. SAFE ROUTES TO SCHOOLS PROJECT

City Administrator Sabo directed the Board to the memo from Missy Rathmann regarding a revised plan for parts of the trail/sidewalk and an electric pedestrian crossing signal, which was part of the original Safe Routes to Schools Grant (see Closed Session Minutes 9-20-11-3).

Alderman Sir suggested that possibly a pedestrian signal should also be erected at Legends Parkway and Bald Hill Road.

The consensus was that few, if any, children walk from The Legends to Geggie School.

Mayor Coffey commented that possibly another type of grant may be available in lieu of the Safe Routes to Schools Grant.

16. CONT'D.

Following a general Aldermanic discussion, it was the consensus of the Board to proceed with the revised project per Missy Rathmann's memo, without a grant, and attempt to coordinate the construction with the Route 66 Trail project to potentially get a lower project cost.

17.

There being no further matters for discussion, the meeting was adjourned at 8:30 p.m.

For a record of the Closed Session at Item No. 13, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk