

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: Aldermen Kee, Britt, Sir, Berry, Beckerle and Leistner. Mayor Coffey was absent.

Also in attendance were City Administrator Craig Sabo, City Attorney Kathy Butler, Police Chief Michael Wiegand and City Clerk Ralph Lindsey.

In Mayor Coffey's absence, Wes Sir, the President of the Board of Aldermen, presided over the meeting.

2. MINUTES

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, the Minutes of July 5, 2011 were approved.

3. GUESTS

There were no guests present who wished to address the Board.

4. BOW HUNTING REQUEST

Eureka Police Officer Tim Graham referred to the information in the Board packets regarding a request for seven (7) Eureka Police Officers and the father of one of the officers to bow hunt on Six Flags' property during the upcoming season. The 2011-2012 Archery Season runs from 9-15-11 to 1-15-12.

Alderman Britt inquired as to if bow hunting permits could be automatically renewed from one year to the next without coming before the Board.

City Attorney Kathy Butler said that could be done but situations may change from one year to the next which could affect the safety of bow hunting in a particular area.

Alderman Sir commented that he had received several complaints from Brewster Road residents about vehicles parked along the road and hunters bringing their kill out, after hunting. He suggested that they enter the property from Six Flags Road.

Tim Graham said they normally park at the north end of Brewster Road and it would be difficult to enter from Six Flags Road since the park would be closed and there would be no one to open the gates.

With the discussion concluded, a motion was made by Alderman Britt, seconded by Alderman Sir and passed with 5 "YES" votes and 1 "NO" vote (cast by Alderman Sir) to approve the bow hunting permit as presented.

5. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 7-13-11

A. The Commission recommended approval of a petition from Tim and Tammy Holladay for rezoning of an approximately .66 acre parcel from PC (Planned Commercial) to R-3 (Single Family Residential) located at 531 Orchard Lane. (The petitioner was unable to attend the meeting and requested a continuation to the meeting of 8-2-11.)

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, the rezoning petition was continued as requested.

B. The Commission recommended approval with no variances for a petition from John Devine for a subdivision of land of approximately 19.91 acres located at 5926 and 5934 Hunters Ford Road to be known as Rock Tree Estates.

John Devine reviewed his proposal for a subdivision of approximately 20 acres, into six (6) three (3) acre lots. Due to the topography, he said the road slope would be approximately 10%. He said that a dry hydrant would be installed and water drawn from a 2-3 acre existing lake for purposes of fire protection.

Mr. Devine said the Eureka Fire Protection District had reviewed and approved the road construction plan, which would terminate at a hammerhead turnaround. He also presented his plan to the Park Board and they recommended approval of a "fee in lieu of land dedication" for the subdivision.

Alderman Beckerle inquired about the Planning and Zoning Commission's recommendation.

City Administrator Sabo said their recommendation was to approve the subdivision without any of the requested variances (no sidewalk, a twenty (20) foot wide paved road and a hammerhead turnaround rather than a cul-de-sac).

5B. CONT'D.

The City Attorney commented that the Board could approve the subdivision with no variances or with any combination of the variances. If variances were still desired, John Devine would be required to appeal to the Board of Adjustment.

John Devine referred to Section 20A-6 of the Municipal Code regarding a possible variance from the requirement for a twenty-six (26) foot wide pavement.

The City Administrator explained to Mr. Devine that Code Section 20A-6 was specific to developments within Large Lot Residential Zoning Districts and not large lot developments within R-1 Zoning Districts, which is what his property was zoned.

John Devine said that according to Wunderlich Surveying and Engineering, the front part of his property was zoned St. Louis County Non-Urban and the back was zoned Eureka R-1.

Following a general Aldermanic discussion, Mr. Devine requested that his subdivision petition be tabled so that he could do additional research on the zoning and determine if it would be more appropriate for him to file a petition for rezoning his property to LLRD.

On motion by Alderman Beckerle, seconded by Alderman Leistner and unanimously passed, the petition for a subdivision of land was tabled.

City Attorney Kathy Butler instructed John Devine to notify City staff if he decided to withdraw his subdivision petition.

(Due to the continuation, no action was taken on Agenda Item No. 6 or No. 8.)

6. PROCLAMATION - NATIONAL NIGHT OUT

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, a proclamation was read by the City Attorney, in support of August 2, 2011 as the 28th Annual National Night Out.

The proclamation was presented to Police Chief Wiegand.

7. BILL NO. 2283 RE: MISSOURI DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT

On motion by Alderman Beckerle, seconded by Alderman Leistner and unanimously passed, Bill No. 2283 was read for the first time by short title.

BILL NO. 2283: AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION RELATING TO AN APPROVED GRANT.

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Bill No. 2283 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2283 was read for the third and final time.

Alderman Leistner moved, THAT BILL NO. 2283 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Kee.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2283 passed and designated it to be Ordinance No. 2179.

8. REVIEW OF SPECIAL USE PERMITS

A. SkyTel Corporation - Radio and communications transmission antenna - 15 Hilltop Village Center Drive (Motel 6).

B. Kampgrounds of America, Inc. - Public campground - 18475 Old Highway 66.

C. Burger King - Fast food restaurant with a drive-through component - 235 West Fifth Street.

D. Creative Expressions Learning Center - Day care center - Legends Corporate Center.

E. Mac's Convenience Stores, LLC, d/b/a Circle K - Convenience store with self-service motor fuel dispensing, full package liquor sales, car wash and outdoor storage and display of merchandise - 18181 Old Highway 66.

F. Mac's Convenience Stores, LLC, d/b/a Circle K - Convenience store with self-service motor fuel dispensing, full package liquor sales and outdoor storage and display of merchandise - 18201 Old Highway 66.

8. CONT'D.

G. Mac's Convenience Stores, LLC, d/b/a Circle K - Convenience store with self-service motor fuel dispensing, full package liquor sales, car wash and outdoor storage and display of merchandise - 100 Old Town Drive.

H. America's Best Inn - Motel - 1725 West Fifth Street.

On motion by Alderman Leistner, seconded by Alderman Beckerle 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 July, 2012.

9. LIQUOR LICENSE APPLICATION

A. Rogers and Tina O'Dell, representing O'Dell's Irish Pub - Sunday Full Liquor - 141 South Central Avenue.

The City Clerk explained that previously O'Dell's was not planning to be open on Sundays but they decided to install a full kitchen and serve food throughout the week. Because of that, they decided to be open seven (7) days a week and have a Sunday Liquor License.

For a Sunday license they will be required to have at least 50% of their total sales in food.

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, the Sunday Full Liquor License for O'Dell's Irish Pub was approved.

10. LIQUOR LICENSE RENEWALS 2011-2012

The list of liquor license renewals for the period 8-1-11 to 7-31-12 was reviewed.

On motion by Alderman Leistner, seconded by Alderman Britt and unanimously passed, all of the liquor licenses were approved.

11. BILLS FOR PAYMENT

The list of bills was considered by the Board.

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

12. STATEMENT OF FINANCES - JUNE 30, 2011

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, the Board of Aldermen acknowledged receipt of the financial statements for the period ending 6-30-11.

13. 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, contracts, litigation and real estate.

14.

Alderman Beckerle commented that at the last Town Hall Meeting a question was raised about commercial trash service through IESI.

City Administrator Sabo said the current contract was for residential service only and it had never been considered to include commercial service. However, businesses could individually contact IESI for trash service.

15.

Alderman Leistner commented about the quick response from the Public Works Department in removing several trees which were blown down in the recent storm. However, there are several large limbs on the ground in her area which still need to be removed.

(The City Administrator will have Bob Wade contact Alderman Leistner for specific locations.)

16.

Alderman Sir requested that a moratorium be approved on the prohibition of parking along Meramec Blvd. in the area of St. Mark's Church and School for the Funds4Food fundraising event on Saturday, July 23rd.

On motion by Alderman Kee, seconded by Alderman Leistner and unanimously passed, parking will be permitted on Meramec Blvd. from noon to 9:00 p.m. on July 23rd.

17. CLOSED SESSION

18.

There being no further matters for discussion, the meeting was adjourned at 8:05 p.m.

For a record of the Closed Session at Item No. 17, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk