

1.

The City of Eureka Board of Aldermen met in regular session at 7:05 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 September 6, 2011 were approved.

3. GUESTS

A. Ethan Gyori and Alex Sheir, two (2) Boy Scouts from Troop No. 322, were in attendance as one (1) of the requirements for a Merit Badge.

4. CONSIDERATION OF SPECIAL USE PERMIT REVOCATION

A. Fifth Street Motors - Display lot for the retail sale of used motor vehicles including activities incidental to this use - 520 Abby Lane (see Minutes 9-6-11-19).

Don Nagle was in attendance regarding his Special Use Permit.

Alderman Beckerle asked Mr. Nagle when he expected to have his building completed.

Don Nagle explained that there were several reasons for the delay. He said his HVAC plans were submitted to St. Louis County the first week of June but he did not receive his permit until August 27th. The plumbing and electrical work was finished. He has hired the HVAC, drywall, and asphalt contractors and has purchased his interior fixtures.

Mr. Nagle said that money has been an issue but he should be able to complete the project within forty-five (45) - sixty (60) days.

City Administrator Sabo suggested that Don Nagle be given ninety (90) days to complete and occupy the new building and have the modular building removed. If not completed within ninety (90) days, the Fifth Street Motors business license would be suspended until he completes the project.

On motion by Alderman Beckerle, seconded by Alderman Leistner and unanimously passed, the Fifth Street Motors Special Use Permit was extended for ninety (90) days, as suggested by the City Administrator.

5. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 9-14-11

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

6. BILL NO. 2292 RE: AUTHORIZING CONTRACT FOR BOOSTER STATION PROJECT

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2292 was read for the first time by short title.

BILL NO. 2292: AN ORDINANCE TO AUTHORIZE ENTERING INTO A CONTRACT FOR THE CONSTRUCTION OF A WATER BOOSTER STATION.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2292 was read for the second time by short title.

On motion by Alderman Sir, seconded by Alderman Leistner and unanimously passed, Bill No. 2292 was read for the third and final time.

Alderman Britt moved, THAT BILL NO. 2292 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Kee.

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

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2292 passed and designated it to be Ordinance No. 2188.

7. BILL NO. 2293 RE: AUTHORIZING CONTRACT FOR STREET STRIPING PROJECT

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2293 was read for the first time by short title.

BILL NO. 2293: AN ORDINANCE TO AUTHORIZE ENTERING INTO A CONTRACT FOR ROADWAY STRIPING SERVICES.

On motion by Alderman Leistner, seconded by Alderman Sir and unanimously passed, Bill No. 2293 was read for the second time by short title.

7. CONT'D.

On motion by Alderman Britt, seconded by Alderman Leistner and unanimously passed, Bill No. 2293 was read for the third and final time.

Alderman Beckerle commented that many people use the marked bike/walk path on Legends Parkway at Bald Hill Road as a turn lane. He would like some extra measures taken to keep vehicles off the path. The City Administrator said he would have the contractor provide additional markings to identify the bike/walk path.

Alderman Sir inquired about the possibility of establishing a dedicated turn lane on Meramec Blvd., northbound and southbound, at Hilltop Village Center Drive.

The City Administrator said he would have the Public Works Department research the possibility and bring the information back to the Board.

Alderman Kee moved, THAT BILL NO. 2293 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Sir.

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. 2293 passed and designated it to be Ordinance No. 2189.

8. BILL NO. 2294 RE: CODE AMENDMENT PROHIBITING SIDEWALK OBSTRUCTIONS

Alderman Britt asked if this would apply to trees and bushes which may be projecting over sidewalks; the City Administrator said it would.

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Bill No. 2294 was read for the first time by short title.

BILL NO. 2294: AN ORDINANCE AMENDING THE MUNICIPAL CODE TO PROHIBIT SIDEWALK OBSTRUCTIONS.

On motion by Alderman Sir, seconded by Alderman Leistner and unanimously passed, Bill No. 2294 was read for the second time by short title.

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, Bill No. 2294 was read for the third and final time.

Alderman Leistner moved, THAT BILL NO. 2294 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; Sir - YES; Britt - YES; Kee - YES.

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2294 passed and designated it to be Ordinance No. 2190.

9. BILL NO. 2295 RE: ESTABLISHING THE 2011 PROPERTY TAX RATES

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Bill No. 2295 was read for the first time by short title.

BILL NO. 2295: AN ORDINANCE ESTABLISHING THE ANNUAL TAX RATE OF TAX LEVY FOR THE YEAR 2011 FOR ALL TAXABLE PROPERTY WITHIN THE CITY OF EUREKA.

On motion by Alderman Sir, seconded by Alderman Britt and unanimously passed, Bill No. 2295 was read for the second time by short title.

On motion by Alderman Leistner, seconded by Alderman Sir and unanimously passed, Bill No. 2295 was read for the third and final time.

Mayor Coffey explained to the audience that when the Storm Water and Parks Sales Tax Proposition was being considered (in calendar year 2000), the Board of Aldermen agreed to lower the residential property tax rate and not set the rate above \$.39. He said this Board continues to honor that decision.

Alderman Beckerle moved, THAT BILL NO. 2295 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. 2295 passed and designated it to be Ordinance No. 2191.

10. BILL NO. 2296 RE: AUTHORIZING LEGENDS PARKWAY AMENDED AGREEMENT
The Mayor explained that the amended agreement provides for the City to assume responsibility for snow and ice removal on Legends Parkway, which is the only ingress/egress for the subdivisions within The Legends. He said this was being done for purposes of public safety and to ensure emergency access for police, fire and medical vehicles.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2296 was read for the first time by short title.

BILL NO. 2296: AN ORDINANCE TO AUTHORIZE ENTERING INTO AN AMENDED AGREEMENT WITH THE LEGENDS HOMEOWNERS ASSOCIATION.

On motion by Alderman Beckerle, seconded by Alderman Sir and unanimously passed, Bill No. 2296 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2296 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2296 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; Kee - YES; Britt - YES; Sir - YES.

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2296 passed and designated it to be Ordinance No. 2192.

11. REVIEW OF SPECIAL USE PERMITS

A. Top Notch Learning Center, Inc. - Day care facility - 600 Top Notch Lane.

B. Boland Service, Inc. - Automotive oil and lube center/car wash facility - 255 Sommer Lane.

C. Gary Borrer - Apartment on property located at 216 N. Central Avenue to be used primarily for commercial purposes.

D. Taco Bell - Fast food restaurant with a drive-through component - 83 Hilltop Village Center Drive.

E. Eureka Veterinary Clinic - Animal hospital and related veterinarian services - 1415 W. Fifth Street.

F. Eureka MotoMart - Convenience store with self-service motor fuel dispensing - 5695 Fox Creek Road.

G. Assist 2 Sell Realty - Apartment on property located at 111 N. Central Avenue to be used primarily for commercial purposes.

H. Earthbound Recycling - Operation of a recycling facility - 25 Truitt Drive.

I. Nina's Produce - Open-air market - 105 East Fifth street.

J. UCSL, LLC - Urgent Care Center - 76 Hilltop Village Center Drive.

K. Mid-America 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 the display and sale of motorcycles, scooters, utility trailers and golf carts - 501 Howerton Lane.

L. Panera Bread, LLC, d/b/a St. Louis Bread Company - Restaurant with a drive-through component - 201 East Fifth Street.

M. Commerce Bank - Bank with a drive-through ATM component - 203 East Fifth Street.

On motion by Alderman Beckerle, seconded by Alderman Sir 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 September, 2012.

Alderman Britt inquired as to if anything could be done to improve the Taco Bell entrance.

City Administrator Sabo acknowledged that there was a severe grade change on their entrance drive and any alterations would be on the MoDOT right-of-way (West Fifth Street). He said he would have staff contact MoDOT.

Alderman Britt also asked if there had been any traffic complaints regarding the St. Louis Bread Company drive-through facility; the City Administrator and Police Chief both said they had received no complaints.

12. BILLS FOR PAYMENT

An amended list of bills, with the changes identified, was considered by the Board.

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

13. STATEMENT OF FINANCES - AUGUST 31, 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 8-31-11.

14. CALL FOR CLOSED SESSION

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

15.

Alderman Beckerle inquired about the status of the Forby Road Project.

The City Administrator said he could not provide a reliable projection as to when through traffic would be permitted on the road. He said there have been a few issues which have caused delays but the project should be completed before the onset of winter inclement weather.

Alderman Beckerle also commented that he received many positive comments about the Eureka Days Festival and thanked Missy Rathmann for all of her department's work on the event.

16.

Alderman Britt asked the City Administrator if he had a timetable for the water softening project.

City Administrator Sabo said it was too early to provide an implementation schedule, especially due to the numerous agencies which must review the plans, but it should be sometime in 2012.

Alderman Britt also commented that he, too, had numerous compliments on the Eureka Days Festival.

17.

Alderman Sir said he, also, had received many compliments on the Eureka Days Festival, especially with the rides being moved to the Legion Park paved area.

18.

Mayor Coffey reminded everyone of the Grand Opening of the West Frisco Gazebo Park, scheduled for September 30th at 7:00 p.m.

19. CLOSED SESSION**20. OPEN SESSION RECONVENED****21. WELCOME TO EUREKA SIGNAGE**

The City Administrator directed the Board to the design for the new Welcome to Eureka signs. The design incorporates the new City logo with an additional "Welcome" message.

The consensus was to proceed with the new signs.

22.

Alderman Leistner related that there was a water break over the weekend and a resident called the emergency number, which was likely 911, and they were told to contact Missouri American Water. Missouri American Water told the resident that Eureka was not part of their system. The Eureka Fire Protection District was contacted and eventually the City's Public Works Department was notified. Chief Wiegand said he would look into the matter.

23.

There being no further matters for discussion, the meeting was adjourned at 9:00 p.m.

For a record of the Closed Session at Item No. 19, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk