

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 Berry, seconded by Alderman Leistner and unanimously passed, the Minutes of August 16, 2011 were approved.

3. GUESTS

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

4. BOW HUNTING REQUESTS FOR SEASON 9-15-11 TO 1-15-12

A. Tom Rutz, Jr. - 632 Workman Road.

Tom Rutz, Jr. requested permission to bow hunt on a ten (10) acre parcel at 632 Workman Road, which is owned by a family member (written request with property map in file).

City Attorney Kathy Butler asked Tom Rutz if he had hunted on this property previously; he said he had. On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, permission was granted.

B. Eugene Werges - 5300 Fox Creek Road.

Eugene Werges requested permission to bow hunt on a thirty-five (35) acre parcel, known as Jellystone Park Campgrounds (written request with property map in file). He said he would only hunt when the campground/Santa's Magical Kingdom was closed.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, permission was granted.

C. Kevin Kilpatrick - 241 Deer Run Estates.

Kevin Kilpatrick requested permission for he and John Carlson to bow hunt on his property (15 acres) in the Deer Run Estates Subdivision (written request with property map in file).

On motion by Alderman Kee, seconded by Alderman Leistner and unanimously passed, permission was granted.

D. Jeff Kern - Brewster Road Property.

Jeff Kern requested permission to bow hunt on a large tract of land at 764 and 765 Brewster Road, owned by Louis Mitschang (written request with property map in file). He said he does not park along the road and has hunted on this property in the past.

On motion by Alderman Beckerle, seconded by Alderman Leistner and unanimously passed, permission was granted.

5. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 8-24-11

A. The Commission recommended approval of a petition from John Devine for rezoning of an approximately 6.79 acre parcel from SLC-NU (St. Louis County Non-Urban) to LLRD (Large Lot Residential District) located at 5926 Hunters Ford Road and an approximately 13.13 acre parcel from R-1 Single Family Residential to LLRD (Large Lot Residential District) located at 5934 Hunters Ford Road.

(For official Board action see Item No. 6.)

B. The Commission recommended approval of a petition from Thomas Schreiber, representing Signature Landscapes and Design, for a Special Use Permit to provide for the outdoor storage of landscaping equipment and materials at 18515 U.S. Highway 66.

There were no questions from the Board members.

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, the Special Use Permit was approved.

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

6. BILL NO. 2289 RE: REZONING 6.79 ACRES FROM SLC-NU TO LLRD AND 13.13 ACRES FROM R-1 TO LLRD

On motion by Alderman Leistner, seconded by Alderman Berry and unanimously passed, Bill No. 2289 was read for the first time by short title.

6. CONT'D.

BILL NO. 2289: AN ORDINANCE REZONING PROPERTY LOCATED ON HUNTERS FORD ROAD FROM R-1 AND SLC-NU TO LARGE LOT RESIDENTIAL DISTRICT.

On motion by Alderman Beckerle, seconded by Alderman Britt and unanimously passed, Bill No. 2289 was read for the second time by short title.

On motion by Alderman Sir, seconded by Alderman Berry and unanimously passed, Bill No. 2289 was read for the third and final time.

Alderman Leistner moved, THAT BILL NO. 2289 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. 2289 passed and designated it to be Ordinance No. 2185.

7. BILL NO. 2290 RE: CODE AMENDMENT REGARDING THE HARBORING OF CHICKENS

(See Minutes 8-16-11-18.)

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2290 was read for the first time by short title.

BILL NO. 2290: AN ORDINANCE AMENDING CHAPTER 4 OF THE MUNICIPAL CODE REGULATING THE KEEPING, HARBORING OR RAISING OF CHICKENS.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2290 was read for the second time by short title.

On motion by Alderman Leistner, seconded by Alderman Britt and unanimously passed, Bill No. 2290 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2290 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Beckerle.

The roll call vote was as follows: Alderman Sir - NO; Britt - YES; Kee - YES; Leistner - YES; Beckerle - YES; Berry - YES.

The motion for adoption was passed with 5 "YES" votes and 1 "NO" vote.

Mayor Coffey declared Bill No. 2290 passed and designated it to be Ordinance No. 2186.

8. BILL NO. 2291 RE: ELECTRIC SERVICE LICENSE TAX

City Administrator Sabo requested that the agenda be amended to consider a bill to maintain the City's 5% gross receipts license tax which is imposed on all electric service.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, the agenda was amended as requested.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2291 was read for the first time by short title.

BILL NO. 2291: AN ORDINANCE REAFFIRMING THE LICENSE TAX WHICH IS IMPOSED UPON ELECTRIC SERVICE PROVIDERS IN THE CITY.

On motion by Alderman Britt, seconded by Alderman Leistner and unanimously passed, Bill No. 2291 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Leistner and unanimously passed, Bill No. 2291 was read for the third and final time.

Alderman Leistner moved, THAT BILL NO. 2291 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. 2291 passed and designated it to be Ordinance No. 2187.

9. BOARD OF ADJUSTMENT APPOINTMENT CONSIDERATION

Mayor Coffey reported that alternate member Tony Taylor moved out of Eureka and a replacement alternate member was needed. He asked the Board members to give consideration to someone who may be interested in serving.

10. RECURRING BILLS FOR APPROVAL

The list of recurring bills, paid in August, was reviewed.

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

11. BILLS FOR PAYMENT

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

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

12. 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 and real estate.

13.

Alderman Berry referred to the upcoming Board of Adjustment consideration for an expansion of the cell tower site on Top Notch Lane. He asked that the condition of the existing landscaping be checked.

14.

Alderman Kee commented that the street overlay work which has been done to date, has been very good.

15. CLOSED SESSION

16. OPEN SESSION RECONVENED

17. DREYER SIDEWALK REQUEST

City Administrator Sabo referred to the request from the owner of O'Dell's Irish Pub for a sidewalk to be constructed along Dreyer Avenue.

Following a general Aldermanic discussion, it was the consensus of the Board to consider the sidewalk project in the next fiscal year, after the trail and additional parking have been completed in the Old Town area.

18. EUREKA DAYS FESTIVAL

Mayor Coffey reported that the American Legion Post and the VFW had contacted him about the increased cost for vendor booths at the Eureka Days Festival.

Alderman Leistner said she also had heard from the Eureka Historical Society about the increased cost and the new policy that booths needed to be staffed at all times.

Following a brief general discussion, the consensus was for the City Administrator to direct Missy Rathmann to downwardly adjust the booth fees for local civic and fraternal organizations to what they were previously and not require their booths to be continuously staffed.

The City Administrator commented that any policy changes for the Eureka Days Festival should at least be provided to the Board and possibly also approved by the Board.

19. FIFTH STREET MOTORS

Mr. Sabo directed the Board to his Administrative Memo regarding the status of the construction of the permanent sales office building at Fifth Street Motors (see Minutes 8-16-11-14). Mr. Nagle advised staff that he "hoped" to occupy the new building by mid-November (it has been more than six (6) months since the last inspection).

Following a brief discussion, it was the consensus of the Board to initiate the revocation process for the Fifth Street Motors' Special Use Permit.

20.

There being no further matters for discussion, the meeting was adjourned at 8:25 p.m.

For a record of the Closed Session at Item No. 15, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk