

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 January 3, 2012 were approved.

3. GUESTS

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

4. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 1-11-12

A. The Commission recommended approval of a petition from Dan Shah for a Special Use Permit for the sale of alcoholic beverages not in conjunction with a restaurant, cafeteria or supermarket located at 98 Legends Parkway (Legends Corporate Center).

Dan Shah was present to represent his petition.

There being no questions from the Board, on motion by Alderman Beckerle, seconded by Alderman Sir and unanimously passed, the Special Use Permit was approved.

This permit will be scheduled for review in January, 2013.

B. The Commission recommended approval of a petition from Cindy Ruprecht for a Special Use Permit for equestrian facilities and uses including horse boarding, arena riding and hayrides, public picnic areas, public swimming pool facilities, public campground facilities for short-term camping, including recreational vehicles located at 199 Allen Road.

Cindy Ruprecht briefly reviewed her proposal. She was asked if the pool was in usable condition for the summer; she said it was not and that was part of her future plans.

On motion by Alderman Berry, seconded by Alderman Leistner and passed with five (5) "YES" votes and one (1) "NO" vote (cast by Alderman Sir) the Special Use Permit was approved with the condition recommended by the Planning and Zoning Commission that the "short-term camping" be limited to a thirty (30) day continuous stay.

This permit will be scheduled for review in January, 2013.

C. The Commission recommended approval of a petition from Daveann Degenhart and Janet Perry for a Special Use Permit for a fitness center located at 30 Thresher Road.

Daveann Degenhart was in attendance to represent the petition.

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

This permit will be scheduled for review in January, 2013.

D. The Commission recommended approval of a petition from Brian Buchmann for rezoning of an approximately .16 acre parcel from C (Commercial) to PC (Planned Commercial) located at 321 North Virginia Avenue.

Speaking for the petitioner was Marsha Neavill, with Renaissance Building Enterprises. She explained that Mr. Buchmann wished to construct a covered parking structure for his business but could not do so with the current zoning.

(For official Board action see Item No. 5.)

5. BILL NO. 2306 RE: REZONING A .16 ACRE PARCEL FROM C TO PC

City Administrator Sabo referred to his Administrative Memo and asked if the Board wished to amend the bill to require Aldermanic consideration and approval of all uses, as has been common with all Planned Commercial rezonings.

On motion by Alderman Britt, seconded by Alderman Beckerle and unanimously passed, the bill was amended as suggested by the City Administrator.

On motion by Alderman Leistner, seconded by Alderman Sir and unanimously passed, Bill No. 2306 was read for the first time by short title, as amended.

BILL NO. 2306: AN ORDINANCE REZONING PROPERTY LOCATED ON NORTH VIRGINIA AVENUE FROM COMMERCIAL TO PLANNED COMMERCIAL.

5. CONT'D.

On motion by Alderman Sir, seconded by Alderman Leistner and unanimously passed, Bill No. 2306 was read for the second time by short title, as amended.

On motion by Alderman Britt, seconded by Alderman Sir and unanimously passed, Bill No. 2306 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2306 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. 2306 passed and designated it to be Ordinance No. 2202.

6. REVIEW OF SPECIAL USE PERMITS

The City Administrator recommended approval of Items A-L.

A. GMAM, LLC - Indoor batting cages - 530 Workman Road.

B. Arby's - Restaurant with drive-through component - 60 Hilltop Village Center Drive.

C. Valvoline Instant Oil Change - Motor vehicle maintenance services - 12 Hilltop Village Center Drive.

D. Victory Auto Repair & Detailing, L.L.C. - Display lot for the retail sale of used motor vehicles including activities incidental to this use, repair shop and U-Haul business - 1023 West Fifth Street.

E. Omnipoint Communications & Voicestream Wireless - Radio, television and communications transmission tower - 115 East Fifth Street.

F. Wholesale Plumbing Supply, Inc. - Outdoor storage and display of plastic pipe - 720 West Fourth Street.

G. Byerly Trailer & Manufacturing - Recreational vehicles with an expanded display lot and parking area - 295 East Fifth Street.

H. First Community Credit Union - ATM with a drive-through lane - Eureka Towne Center parking lot at 157 Eureka Towne Center Drive.

I. Horizon Motors - Automobile repair services and display lot for the retail sale of used motor vehicles including activities incidental to this use - 212 South Virginia Avenue.

J. Burger King - Restaurant with drive-through component - 235 West Fifth Street.

K. Mercy Health Care - Medical office, lab and x-ray facility - The Shoppes at Hilltop.

L. Donna Long - Residential use of a structure in a Commercial District - 607 Stockell Drive.

On motion by Alderman Berry, seconded by Alderman Leistner 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 January, 2013.

M. Fifth Street Motors - Display lot for the retail sale of used motor vehicles including activities incidental to this use with the erection of a permanent structure - 520 Abby Lane (see BOA Minutes 12-20-11-6J).

City Administrator Sabo stated that no final inspections had been made on the building.

Don Nagle said the County HVAC inspection was scheduled for Wednesday, January 18th and other inspections would follow shortly thereafter. He said the modular building would be moved out by the company that owned it.

At this time a motion was made by Alderman Kee, seconded by Alderman Leistner and unanimously passed to suspend the business license for Fifth Street Motors until all final inspections have been made and the modular building is removed.

Don Nagle commented that he was in the process of moving into the new building.

The City Administrator responded that he may need to relocate some items for proper access to make the final inspections.

7. 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 Britt and unanimously passed, the amended list of bills was approved for payment.

8. STATEMENT OF FINANCES - DECEMBER 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 12-31-11.

9. 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 potential liability and real estate.

10.

Alderman Berry commented about how well the work was going on the North Street/Forby Road project.

Mayor Coffey added that the landscaping would be done in the spring.

11.

Mayor Coffey reported that, as part of the sanitary sewer system preventative maintenance program, the City had recently televised several sanitary sewer mains in Hilltop and found roots in the sanitary sewer main along Muir Street, which were removed before they caused any problems.

12. CLOSED SESSION

13. OPEN SESSION RECONVENED

14. COMMUNITY CENTER USE REQUESTS

The City Administrator directed the Board to the four (4) requests in his memo and the memos from Missy Rathmann.

Regarding the Meramec Township Democratic Committee, there was unanimous consensus to waive the \$30.00 three (3) hour rental fee for the meeting room.

Concerning the request from USA Martial Arts for five (5) additional dates, which would also include the St. Louis Green Berets, the consensus was that because one (1) purpose of the events would be to generate interest in Jim Smothers' business, the resident/business rental rate would apply.

Regarding the request from Mike Kircher and the Current News Magazine, Mr. Sabo commented about the Board's policy of not allowing commercial use of the community center. The request is for the Current News Magazine to hold a bridal fair and sell booth space to various businesses.

Following a general Aldermanic discussion, it was the consensus of the Board to charge the resident rate of \$400.00 if this was to be a "for-profit" event. If the proceeds were to be donated to charity, the fee would be \$100.00 to cover City expenses.

15.

Economic Development Director Julie Wood informed the Board that Gibby's Restaurant (formerly Rich and Charlie's Restaurant) was scheduled to open this week.

Julie Wood also reported that she had two (2) additional meetings with the Old Town businesses which she felt were very positive. They are planning a St. Patrick's Day event and hope to put it on with limited City participation.

Julie Wood said the businesses would like to promote their events with banners across the street or on one side from business to business.

The City Administrator said that Ameren Missouri would not allow banners strung on their poles. It was suggested that consideration be given to having the City install poles along Central Avenue from which banners could be hung over the drive lanes.

Julie Wood related that she was contacted by Wayne Kissel regarding the signage regulations pertaining to window signs (Code Section 19A-16(a)(5)). The language appears somewhat contradictory regarding the square footage allowed per building side.

The consensus was that the allowable window signage per building side should be 50% of the total window area for each side of a building.

City Administrator Sabo said he would prepare a proposed Ordinance to amend the Municipal Code in a manner consistent with the Board's consensus.

15. CONT'D.

Julie Wood referred to the memo from Recreation Events Coordinator Kristin Christenson regarding the Concerts on Central Avenue (the proposed change to the Starlight Movie Nights was withdrawn by the Parks Department staff).

There was a consensus of approval for not having a concert in April, due to the potential for inclement weather.

It was also suggested by Alderman Beckerle that the summer concerts start one (1) hour later (and still run for three (3) hours), which may result in better attendance throughout the evening. There was also a consensus of approval for that suggestion.

Julie Wood suggested that possibly the businesses on Central Avenue should have plastic cups, printed with Central Avenue concert information, for all drinks they sell during the concerts.

16.

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. 12, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk