

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 Sir, Kee, Britt, Berry, Beckerle and Murray. 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.

Due to the absence of Mayor Coffey, Wes Sir, the President of the Board of Aldermen, presided over the meeting.

2. MINUTES

On motion by Alderman Berry, seconded by Alderman Murray and unanimously passed, the Minutes of July 7, 2015 were approved.

3. GUESTS

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

4. DRIVEWAY EXTENSION APPLICATION

A Driveway Extension Application was received from Tom Daniels at 827 Emerald Oaks Court. Alderman Beckerle asked if there was any response to the letters mailed to the adjoining property owners; the City Administrator said there was not.

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, the driveway extension was approved.

5. SPECIAL EVENT PERMIT APPLICATION

A Special Event Permit Application was received from Amy Dodge for permission to have a block party on August 22nd and close the street between 1634 and 1658 Grace View Drive (within the Ashton Woods Subdivision). The block party would be from 3:00 p.m. - 11:00 p.m.

Amy Dodge commented that a similar event was held in 2014.

On motion by Alderman Beckerle, seconded by Alderman Murray and unanimously passed, the block party was approved.

6. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 7-15-15

A. The Commission recommended approval of a petition initiated by the City of Eureka for rezoning of approximately 3.27 acres from C (Commercial) to PC (Planned Commercial) located at 531 Howerton Lane.

(For Board action see Item No. 7.)

B. The Commission recommended approval of a petition initiated by the City of Eureka for rezoning of approximately 1.00 acre from C (Commercial) to PC (Planned Commercial) located at 1421 West Fifth Street.

(For Board action see Item No. 8.)

C. The Commission recommended approval of a petition initiated by the City of Eureka for rezoning of approximately 1.33 acres from C (Commercial) to PC (Planned Commercial) located at 557 Abby Lane.

(For Board action see Item No. 9.)

D. The Commission recommended approval of a petition initiated by the City of Eureka for rezoning of approximately 40.53 acres from C (Commercial) to PC (Planned Commercial) located at 5400 Fox Creek Road.

(For Board action see Item No. 10.)

E. The Commission recommended approval of a petition initiated by the City of Eureka for rezoning of approximately 61.74 acres from C (Commercial) to PC (Planned Commercial) located at 4901 Six Flags Road.

(For Board action see Item No. 11.)

7. BILL NO. 2443 RE: REZONING 3.27 ACRES FROM COMMERCIAL TO PLANNED COMMERCIAL

Alderman Britt asked when the City began initiating the Planned Commercial rezonings; City Administrator Sabo said it was approximately fifteen (15) years ago.

City Attorney Butler briefly reviewed the purpose of the Planned Commercial Zoning, concluding that it protected adjoining property owners as well as the City.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2443 was read for the first time by short title.

BILL NO. 2443: AN ORDINANCE REZONING PROPERTY LOCATED AT 531 HOWERTON LANE FROM COMMERCIAL TO PLANNED COMMERCIAL.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2443 was read for the second time by short title.

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, Bill No. 2443 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2443 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2443 passed and designated it to be Ordinance No. 2336.

8. BILL NO. 2444 RE: REZONING 1 ACRE FROM COMMERCIAL TO PLANNED COMMERCIAL

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, Bill No. 2444 was read for the first time by short title.

BILL NO. 2444: AN ORDINANCE REZONING PROPERTY LOCATED AT 1421 WEST FIFTH STREET FROM COMMERCIAL TO PLANNED COMMERCIAL.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2444 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2444 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2444 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Kee.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2444 passed and designated it to be Ordinance No. 2337.

9. BILL NO. 2445 RE: REZONING 1.33 ACRES FROM COMMERCIAL TO PLANNED COMMERCIAL

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2445 was read for the first time by short title.

BILL NO. 2445: AN ORDINANCE REZONING PROPERTY LOCATED AT 557 ABBY LANE FROM COMMERCIAL TO PLANNED COMMERCIAL.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2445 was read for the second time by short title.

On motion by Alderman Beckerle, seconded by Alderman Kee and unanimously passed, Bill No. 2445 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2445 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2445 passed and designated it to be Ordinance No. 2338.

10. BILL NO. 2446 RE: REZONING 40.53 ACRES FROM COMMERCIAL TO PLANNED COMMERCIAL

On motion by Alderman Kee, seconded by Alderman Britt and unanimously passed, Bill No. 2446 was read for the first time by short title.

BILL NO. 2446: AN ORDINANCE REZONING PROPERTY LOCATED AT 5400 FOX CREEK ROAD FROM COMMERCIAL TO PLANNED COMMERCIAL.

On motion by Alderman Kee, seconded by Alderman Berry and unanimously passed, Bill No. 2446 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2446 was read for the third and final time.

Alderman Britt moved, THAT BILL NO. 2446 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; Murray - YES; Beckerle - YES; Berry - YES.

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2446 passed and designated it to be Ordinance No. 2339.

11. BILL NO. 2447 RE: REZONING 61.74 ACRES FROM COMMERCIAL TO PLANNED COMMERCIAL

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2447 was read for the first time by short title.

BILL NO. 2447: AN ORDINANCE REZONING PROPERTY LOCATED AT 4901 SIX FLAGS ROAD FROM COMMERCIAL TO PLANNED COMMERCIAL.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2447 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2447 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2447 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2447 passed and designated it to be Ordinance No. 2340.

12. BILL NO. 2448 RE: GOLF CART REGULATIONS

There was a general discussion about driving golf carts on City streets.

Kathy Butler explained that by State Statute golf carts were not permitted on public thoroughfares, but for violations to be prosecuted in the Eureka Municipal Court that language should be added to the bill.

Chief Wiegand commented that he did not want to allow golf carts on City streets.

City Administrator Sabo suggested restricting golf carts to subdivisions with private streets where a Traffic Enforcement Agreement was in place.

The consensus was to table the bill to the August 4th Aldermanic meeting so that amendments could be included for Board review.

13. THE ARBORS OF ROCKWOOD - EMERGENCY ACCESS AGREEMENT

Alderman Sir commented that since the meeting was held at The Timbers Recreation Center he has had no further discussions regarding the matter and felt everyone was satisfied (see Minutes 6-16-15-9).

The City Administrator said the agreement could be approved by oral resolution with the following conditions:

1. The access would be constructed with a grid surface which would allow grass to grow through it.
2. There would be a locked gate at both ends of the access area which could only be unlocked by emergency personnel, and

13. CONT'D.

3. Any modifications to the agreement would require a two-thirds majority vote of the Hilltop Subdivision, The Arbors of Rockwood Subdivision and the Board of Aldermen.

Alderman Sir also recommended that the width of the grid surface be no more than sixteen (16) feet wide so that it could not accommodate vehicles in two (2) directions.

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, the Emergency Access Agreement for The Arbors of Rockwood Subdivision was approved with the four (4) stated conditions.

14. REVIEW OF SPECIAL USE PERMITS

- A. SkyTel Corporation - Radio and communications transmission antenna - 15 Hilltop Village Center Drive.
- B. Creative Expressions Learning Center - Day care center - Legends Corporate Center.
- C. 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.
- D. 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.
- 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 - 100 Old Town Drive.
- F. My Vet Animal Clinic - Veterinary office and clinic - 13 East Second Street.
- G. Selbert's Auto Body, Inc. - Automobile and mechanical repair facility with tire installation and tire display - 410 West Fourth Street.

On motion by Alderman Berry, seconded by Alderman Britt 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, 2016.

15. PLANNING AND ZONING COMMISSION APPOINTMENTS

City Administrator Sabo said that the terms of Jerry Holloway, Marilyn Leistner and Bryan Kiefer would expire at the end of July.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, all three (3) members were reappointed to the Planning and Zoning Commission.

16. REAPPOINTMENT OF EUREKA POINTE CID BOARD OF DIRECTORS

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Kevin Coffey, Craig Sabo and Ralph Lindsey were reappointed to the Board of Directors of the Eureka Pointe Community Improvement District.

17. TEMPORARY LIQUOR LICENSE APPLICATIONS

- A. West St. Louis County Lions - Temporary-Full Liquor By the Drink (Beer) - Lions Park - August 15th - 16th (Balloon Glow).
- B. West St. Louis County Lions - Temporary-Full Liquor By the Drink (Beer) - Lions Park - September 11th - 12th (Eureka Days).
- C. Red Door Liquor & Cigars, LLC - Temporary Caterer's Permit (Frozen Drinks, Mixed Drinks and Craft Beer) - Lions Park - August 15th - 16th (Balloon Glow).
- D. Red Door Liquor & Cigars, LLC - Temporary Caterer's Permit (Frozen Drinks, Mixed Drinks and Craft Beer) - Lions Park - September 11th - 12th (Eureka Days).

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, the four (4) Temporary Liquor License Applications were approved.

18. LIQUOR LICENSE APPLICATIONS 2015 - 2016

A list of current liquor licenses, to be renewed for the period 8-1-15 through 7-31-16 was reviewed by the Board.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, the liquor licenses were approved for renewal.

19. BILLS FOR PAYMENT

The list of bills was considered by the Board.

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

20. STATEMENT OF FINANCES - JUNE 30, 2015

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, the Board of Aldermen acknowledged receipt of the financial statements for the period ending 6-30-15.

21. CALL FOR CLOSED SESSION

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

22. COMMUTER PARKING LOT - THRESHER DRIVE

Alderman Britt inquired about the status of paving the commuter parking lot.

City Administrator Sabo said he hoped to combine it with the paving of the new parking area in Legion Park but, if not, it would at least have a rock base by the date of the Eureka Days Festival (September 10th - 12th). He added that the new parking area in Legion Park would definitely be paved for the Eureka Days Festival.

23.

Alderman Sir commented that the area on the south side of Hilltop Village Center Drive, across from the Victorian Gardens Senior Living Center, was again becoming overgrown with weeds.

24. CLOSED SESSION

25. OPEN SESSION RECONVENED

26. FUNDRAISER REQUEST

City Administrator Sabo directed the Board to the memo from Parks and Recreation Director Missy Myers regarding the request for the use of The Timbers gymnasium for a Zumba fundraiser. The purpose is to assist a family who recently lost their home to a fire. The request is for a reduced fee or free use of the facility.

Following a brief Aldermanic discussion, the consensus was to adhere to the current policy of not offering discounted rental fees for The Timbers. However, the fundraiser could be held at the Community Center free of charge.

27.

There being no further matters for discussion, the meeting was adjourned at 8:00 p.m.

For a record of the Closed Session at Item No. 24, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk