

The meeting was called to order at 7:00 p.m. by Chairman Knapp. The meeting was opened with the Pledge of Allegiance.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Austermann, Scheer, Leistner, Holloway and Kiefer.

Also in attendance was City Administrator Craig Sabo. Mr. Siebenman was absent.

A. A petition initiated by the City of Eureka to amend the Municipal Code relating to liquid and gaseous nicotine products and body art.

Notice of the Public Hearing was published in The Countian on Tuesday, July 14, 2015 and in The Current on Wednesday, July 22, 2015.

City Administrator Sabo stated that the petition was initiated by the Board of Aldermen to amend the City code to require Special Use Permit approval to operate a body art or liquid and gaseous nicotine products business. He stated that the amendment would not have any impact on existing businesses as they would be considered a "legal non-conforming" business under the new ordinance.

Mr. Scheer inquired as to if vapor products would also become prohibited in public and private establishments that do not allow nicotine products.

Mr. Sabo stated that there are State laws, some of which the City has adopted regarding the use of tobacco products. He stated that the petition before the Commission at this meeting would require a Special Use Permit for the sale of such products and goods, but does not regulate the use of the products.

No one spoke in support of or in opposition to the petition.

There being no further matters for discussion, the public hearing was adjourned at 7:02 p.m.

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary

The meeting was called to order at 7:02 p.m. by Chairman Knapp.

Present at roll call were: Chairman Knapp and members Alderman Sir, Smith, Austermann, Scheer, Leistner, Holloway and Kiefer.

Also in attendance was City Administrator Craig Sabo. Mr. Siebenman was absent.

On motion by Mr. Smith, seconded by Mr. Austermann and passed with 7 "YES" votes and 1 "ABSTENTION" (cast by member Holloway), the Minutes of July 15, 2015 were approved.

**GUESTS:**

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

**OLD BUSINESS:**

There was no old business to be discussed.

**NEW BUSINESS:**

A. Consideration of a site plan petition from Homestyle Dining, LLC for Bonanza Steak & BBQ at 80 Hilltop Village Center Drive.

Speaking on behalf of the petitioner was company representative, Brian Ripley. Mr. Ripley stated that they were granted a moratorium on prosecution which allowed them to address a deteriorating retaining wall on their property while in the process of obtaining the required site plan approval. He stated the retaining wall had been removed and replaced with a sloped lawn which had been seeded. He stated that a few parking spaces were removed to install the sloped hill, but that they would still have more than enough spaces to meet parking requirements. He stated that in addition to removing the retaining wall, a couple of dying trees were removed from the area.

Mr. Kiefer inquired as to if the sloped lawn would address any runoff problems that had been at the property. He stated he was aware of only one (1) area inlet and inquired as to if that would be enough to capture the water.

Mr. Ripley stated that he was not an engineer, but he had been speaking with the asphalt contractor to address the low area in the rear of the property and to insure the water drains properly off the property. He stated that the water was to drain around the building and empty onto Fifth Street.

Mr. Kiefer inquired as to if there were to be any changes to stormwater drainage.

Mr. Ripley stated that he was not aware of any.

Chairman Knapp inquired as to what type of dumpster enclosure would be installed.

Mr. Ripley stated that he was working with a local contractor, Jim Rademacher, to construct the enclosure area and that it would be approved by the City at a later date.

Mr. Scheer inquired as to Mr. Kiefer's concern whether or not the water runoff from the hillside would flow through the parking lot and onto Fifth Street causing an icing problem in the winter.

Mr. Kiefer stated that he was aware of only one (1) area inlet on the property and he worried that it would not capture all the water.

Mr. Scheer inquired as to if Mr. Ripley knew how the water runoff was to be captured.

Mr. Ripley stated the water was supposed to flow off the hill, around the building and empty onto Fifth Street.

Mr. Kiefer inquired as to if the hillside was sodded.

Mr. Ripley stated that it was seeded, netted and is being regularly watered.

Mr. Knapp stated that he had visited the property and he thought the hillside replacement was a great improvement over the retaining wall.

Mr. Austermann inquired as to the number of employees and the potential opening date.

Mr. Ripley stated that there would be seventy-five (75) to eighty (80) employees and they were hoping to open on September 29th or 30th.

Alderman Sir stated that there appeared to be plenty of parking for the business and the slope of the hillside was designed to keep water from rushing down which would prevent water runoff problems.

On motion by Mr. Smith, seconded by Alderman Sir and unanimously passed by those members present, approval was granted for a site plan petition from Homestyle Dining, LLC for Bonanza Steak & BBQ at 80 Hilltop Village Center Drive with the condition that the dumpster enclosure be approved by City staff.

B. Consideration of a petition initiated by the City of Eureka to amend the Municipal Code relating to liquid and gaseous nicotine products and body art.

On motion by Mr. Scheer, seconded by Mr. Austermann and unanimously passed by those members present, approval was recommended for a petition initiated by the City of Eureka to amend the Municipal Code relating to liquid and gaseous nicotine products and body art.

**ADDITIONAL BUSINESS:**

There was no additional business to be discussed.

There being no further matters for discussion, on motion by Mr. Scheer, seconded by Mr. Holloway and unanimously passed, the meeting was adjourned at 7:12 p.m.

**UPCOMING MEETINGS:**

- August 12, 2015

A petition from Derrick Reeves, representing St. Louis Driveway, for a Special Use Permit for a contractor's office with inside storage only located at 531 Howerton Lane.

- August 26, 2015

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary