

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 Murray. Also in attendance were City Administrator Craig Sabo, City Attorney Kathy Butler, Police Chief Michael Wiegand and City Clerk Ralph Lindsey.

2. MINUTES

Under Item No. 6N Alderman Murray requested that the words "industrial hemp" be inserted after "...to educate children about...".

On motion by Alderman Murray, seconded by Alderman Berry and unanimously passed, the Minutes were approved as amended.

Mayor Coffey referred to Item No. 7 of the Minutes (Bill No. 2462 Re: Rezoning 13 acres from R-1 to R-2 CUP) and said that Flower and Fendler withdrew their rezoning application and would be redesigning their plan for an R-1 Community Unit Plan subdivision development and purchase additional land. They will then submit a new rezoning application.

3. GUESTS

Terry Selbert, the owner of Selbert's Auto Body, referred to his proposed sign code amendment which was distributed to the Mayor and Board. He explained that the LED portion of the sign was in compliance with the current code (which was amended on 5/6/14 by Ordinance No. 2209 at the request of Terry Selbert). The amendment would provide for the upper horizontal part of the proposed sign and the vertical component.

The consensus of the Board was to discuss the matter in Closed Session.

4. CORNER LOT FRONT YARD FENCE APPLICATIONS

A. Anthony Allen II - 798 Vista Hills Court

Anthony Allen was in attendance and briefly reviewed his application. He said the fence would be approximately eight (8) feet from the sidewalk on Legends View Drive.

Alderman Beckerle asked if there was any response from the adjoining neighbors; the City Administrator said there was not.

Alderman Beckerle also pointed out that a portion of the fence would be constructed within a utility easement and if any work was necessary within it, it would be the homeowner's responsibility to replace the fence if it was removed; Anthony Allen acknowledged that to be correct.

On motion by Alderman Beckerle, seconded by Alderman Britt and unanimously passed, the fence permit was approved.

B. Chad and Theresa Patterson - 548 Rockwood Parc Court

Chad Patterson briefly reviewed the application and said the fence would be approximately five (5) feet from the building line along Rockwood Place Court.

Alderman Berry asked if there were any comments from the adjoining neighbors; City Administrator Sabo said there was not.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, the fence permit was approved.

5. SPECIAL EVENT PERMIT APPLICATION

Emily Korsch, representing Alpine Shop - Adventure Race - Saturday, December 5th

Emily Korsch and Scott Earlington were in attendance and reviewed the plans for the Castlewood Eight Hour Adventure Race.

Alderman Beckerle asked Police Chief Wiegand if he had any concerns. Chief Wiegand said he was planning to meet with the organizers to work out the details.

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, the Special Event was approved.

6. PLANNING AND ZONING COMMISSION RECOMMENDATION FROM 11-11-15

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

7. RESOLUTION NO. 11-17-15-1 RE: AMENDING SECTION 125 PLAN

City Administrator Sabo explained that the resolution would approve changing companies for administration of the City's Section 125 Flexible Spending Account from Botz Deal and Company, PC to Beneflex HR Resources, Inc.

A question was raised as to the cost associated with the change.

City Clerk Lindsey explained that there were several benefits to changing companies and the cost was greater. However, more than twice as many employees will be participating and the additional cost will be more than offset by the FICA savings to the City, since this is a tax exempt payroll deduction.

RESOLUTION NO. 11-17-15-1: A RESOLUTION TO AMEND THE CAFETERIA PLAN OF THE CITY OF EUREKA, MISSOURI.

On motion by Alderman Beckerle, seconded by Alderman Sir and unanimously passed, the resolution was passed and approved.

8. BILL NO. 2462 RE: REZONING 13 ACRES FROM R-1 TO R-2 CUP

(The rezoning petition was withdrawn by the applicant; therefore, no Board action is required.)

9. BILL NO. 2463 RE: CODE AMENDMENT REGARDING LOT SIZE REQUIREMENTS FOR CHURCHES

(Mr. Flower requested that this bill be tabled to the meeting of 1-5-16, to be considered with a revised rezoning application from Flower and Fendler.)

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, Bill No. 2463 was tabled as requested.

10. BILL NO. 2467 RE: SOLID WASTE CONTRACT EXTENSION

On motion by Alderman Sir, seconded by Alderman Britt and unanimously passed, Bill No. 2467 was read for the first time by short title.

BILL NO. 2467: AN ORDINANCE AUTHORIZING ENTERING INTO A CONTRACT EXTENSION FOR CITY-WIDE RESIDENTIAL TRASH COLLECTION SERVICES.

On motion by Alderman Britt, seconded by Alderman Murray and unanimously passed, Bill No. 2467 was read for the second time by short title.

On motion by Alderman Kee, seconded by Alderman Berry and unanimously passed, Bill No. 2467 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2467 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Sir.

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

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2467 passed and designated it to be Ordinance No. 2357.

11. REVIEW OF SPECIAL USE PERMITS

A. Car Credit City, LLC - Display lot for the retail sale of used motor vehicles including activities incidental to this use - 1721 West Fifth Street.

B. Darrah Contracting, Inc. - Outdoor storage & display of merchandise, material & equipment - 18531 & 18549 U.S. Highway 66.

C. Dickey Bub, Inc. - Outdoor storage and display of merchandise, material and equipment within the enclosed storage area and equipment only to be located outside of the area with a seasonal display - 100 Hilltop Village Center Drive.

D. Signature Landscapes & Design - Outdoor storage of landscaping equipment and materials - 18515 U.S. Highway 66.

E. Jimmy John's - Fast food restaurant with a drive-through component - 14 Hilltop Village Center Drive.

F. Marjorie Butler - Residential use of a structure in a Commercial District - 619 West Fifth Street.

G. Craig Bessinger - Portable building sales - 18515 U.S. Highway 66.

H. Len Garson - Display lot for the retail sale of used motor vehicles including activities incidental to this use - 18515 U.S. Highway 66.

11. CONT'D.

I. Diann Lewis - Residential use of a structure in a Commercial District - 320 West Fourth Street. On motion by Alderman Britt, 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 November, 2016.

12. REVIEW OF OFF-SITE PARKING AND/OR STORAGE PERMIT

A. Craig Bessinger - Off-site parking and/or storage of vehicles - 18515 U.S. Highway 66
On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, the permit was extended for a twelve (12) month period. This permit will be scheduled for review in November, 2016.

13. RECURRING BILLS FOR APPROVAL

The list of recurring bills, paid in October, was reviewed by the Board. On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, the list of recurring bills was approved and accepted for the record.

14. BILLS FOR PAYMENT

The list of bills was considered by the Board. On motion by Alderman Britt, seconded by Alderman Murray and unanimously passed, the list of bills was approved for payment.

15. STATEMENT OF FINANCES - OCTOBER 31, 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 10-31-15.

16. CALL FOR CLOSED SESSION

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

17. CLOSED SESSION

18. OPEN SESSION RECONVENED

19.

There being no further matters for discussion, the meeting was adjourned at 8:20 p.m.
For a record of the Closed Session at Item No. 17, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk