

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 December 1, 2015 were approved.

3. GUESTS

A. Mark Brawley, of 725 Hilltop Woods Court, referred to his email regarding his concerns about the tree clearing plan which was approved for The Arbors of Rockwood development. In his email he offered several suggestions for revising the plans which he said he hoped the Board and the developer would consider.

B. Steve Lee, of 733 Hilltop Woods Court, said he agreed with Mark Brawley's concerns about the tree clearing plan and the potential for storm water runoff and erosion.

C. David Beaman, a resident of the Eagle Pointe Landing Subdivision, commented (in reference to Terry Selbert's sign proposal) that he felt the City's sign regulations were in need of updating.

D. Tim Nenninger introduced himself at the new president of the Eureka Sports Association and said he was open to any discussions the City may desire regarding the operation of the Association.

4. BOWHUNTING REQUEST - ALLAN JEFFRIES - 5615 HUNTERS FORD ROAD

No one was in attendance regarding the request; therefore, the matter was tabled.

5. SIGN PERMIT APPLICATION

Terry Selbert, representing Selbert's Auto Body - 410 West Fourth Street, presented an exhibit depicting the history of his dynamic sign submissions, noting that the rightmost illustration depicted that which was eligible to receive consideration under the current regulations.

He said that at some point in the future he would likely propose a Code amendment which would allow the top horizontal and bottom vertical components for his sign.

Alderman Britt inquired as to how often he intended to change the sign message.

Alderman Murray commented that other cities had time limitations on message changes.

Bill Basen, the sign company representative, said that Terry Selbert's intention was to inform the public about the services offered and not distract drivers. He also said that some cities prohibited flashing and blinking display modes.

With the discussion concluded, on motion by Alderman Murray, seconded by Alderman Beckerle and unanimously passed, Terry Selbert's dynamic sign proposal was approved with the condition that such not be operated in blinking or flashing display modes.

6. PLANNING AND ZONING COMMISSION RECOMMENDATIONS FROM 12-9-15

A. The Commission recommended approval of a petition from Arthur and Meeghan Kociela for an amended Special Use Permit for the inclusion of truck body and trailer displays on property located at 1400 South Outer Road.

Art Kociela referred to the aerial photo of his property and briefly explained his application for an amended Special Use Permit.

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

This permit will be scheduled for review in December, 2016.

B. The Commission recommended approval of a petition from Maha Alul, representing Legends Apartment, LLC, for a subdivision of land of approximately 13 acres located at 400 Legends Terrace Drive (See Item No. 8 below).

6. CONT'D.

- C. The Commission recommended approval of a petition from Brewster Road, LLC, for a subdivision of approximately 4.39 acres located at 555 Brewster Road (See Item No. 9 below).
- D. The Commission recommended approval of a petition from Brewster Road, LLC, for a subdivision of approximately 1.77 acres located at 108 Workman Court (See Item No. 10 below).
- E. The Commission recommended approval of a petition from Brewster Road, LLC, for a subdivision of approximately 4.23 acres located at 501 Brewster Road (See Item No. 11 below).

7. RESOLUTION NO. 12-15-15-1 RE: FISCAL 2014 - 2015 BUDGET AMENDMENTS
The resolution was read by City Attorney Kathy Butler by short title .

RESOLUTION NO. 12-15-15-1: A RESOLUTION TO AMEND THE 2014 - 15 BUDGET OF THE CITY OF EUREKA, ST. LOUIS COUNTY, MISSOURI BY ADJUSTING SAME TO REFLECT ACTUAL EVENTS AND EFFORTS WHICH TOOK PLACE DURING THE COURSE OF THE 2014 - 15 FISCAL YEAR.

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

8. BILL NO. 2471 RE: SUBDIVISION OF LAND OF APPROXIMATELY 13 ACRES LOCATED AT 400 LEGENDS TERRACE DRIVE

Maha Alul explained that there were three (3) acres of undeveloped land and they were subdividing that part off of the developed property and refinancing their loan.

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, Bill No. 2471 was read for the first time by short title.

BILL NO. 2471: AN ORDINANCE APPROVING THE LEGENDS TERRACE APARTMENT SUBDIVISION FINAL PLAT.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2471 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2471 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2471 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2471 passed and designated it to be Ordinance No. 2359.

9. BILL NO. 2472 RE: SUBDIVISION OF LAND OF APPROXIMATELY 4.39 ACRES LOCATED AT 555 BREWSTER ROAD

McBride's in-house attorney Jeannie Aumiller commented that the following three (3) bills were all related to The Arbors of Rockwood residential development and was the result of the company purchasing property from adjoining landowners. She also said that the company would be happy to discuss the issues raised in the guest period and they should contact Jeremy Roth, one of the McBride engineers who was working on this project.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2472 was read for the first time by short title.

BILL NO. 2472: AN ORDINANCE APPROVING THE EDEN COMMUNITY CHURCH SUBDIVISION FINAL PLAT.

On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Bill No. 2472 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Beckerle and unanimously passed, Bill No. 2472 was read for the third and final time.

Alderman Kee moved, THAT BILL NO. 2472 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Berry.

9. CONT'D.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2472 passed and designated it to be Ordinance No. 2360.

10. BILL NO. 2473 RE: SUBDIVISION OF LAND OF APPROXIMATELY 1.77 ACRES LOCATED AT 108 WORKMAN COURT

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, Bill No. 2473 was read for the first time by short title.

BILL NO. 2473: AN ORDINANCE APPROVING THE EUREKA COMMERCIAL PARK OUTLOT A RESUBDIVISION FINAL PLAT.

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2473 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2473 was read for the third and final time.

Alderman Kee moved, THAT BILL NO. 2473 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Britt.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2473 passed and designated it to be Ordinance No. 2361.

11. BILL NO. 2474 RE: SUBDIVISION OF LAND OF APPROXIMATELY 4.23 ACRES LOCATED AT 501 BREWSTER ROAD

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2474 was read for the first time by short title.

BILL NO. 2474: AN ORDINANCE APPROVING THE SIX FLAGS - BREWSTER LOT SPLIT FINAL PLAT.

On motion by Alderman Kee, seconded by Alderman Berry and unanimously passed, Bill No. 2474 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, Bill No. 2474 was read for the third and final time.

Alderman Britt moved, THAT BILL NO. 2474 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Kee.

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. 2474 passed and designated it to be Ordinance No. 2362.

12. BILL NO. 2468 RE: CODE AMENDMENT RELATING TO PEDDLER REGULATIONS (Bill No. 2468 was read two (2) times at the meeting of 12-1-15.)

On motion by Alderman Kee, seconded by Alderman Murray and unanimously passed, Bill No. 2468 was read for the third and final time.

BILL NO. 2468: AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATING TO THE PEDDLER REGULATIONS.

Alderman Britt moved, THAT BILL NO. 2468 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 - NO; Berry - YES; Beckerle - NO; Murray - NO; Sir - NO.

The motion failed with two (2) "YES" votes and four (4) "NO" votes.

13. BILL NO. 2475 RE: CODE AMENDMENT RELATING TO SIGNAGE REGULATIONS
There was a brief general discussion regarding the approval of Terry Selbert's sign (Item No. 5) which was in compliance with the current sign regulations. As a result, on motion by Alderman Britt, seconded by Alderman Murray and unanimously passed, Bill No. 2475 was tabled without any readings.

14. BILL NO. 2476 RE: AUTHORIZING PROPOSITION FOR APRIL 5TH GENERAL ELECTION

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2476 was read for the first time by short title.

BILL NO. 2476: AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF EUREKA A PROPOSITION TO AUTHORIZE CONTINUING TO APPLY AND COLLECT LOCAL SALES TAX ON TITLING OF MOTOR VEHICLES, TRAILERS, BOATS AND OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER.

On motion by Alderman Britt, seconded by Alderman Kee and unanimously passed, Bill No. 2476 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2476 was read for the third and final time.

Alderman Britt moved, THAT BILL NO. 2476 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Berry,

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2476 passed and designated it to be Ordinance No. 2363.

15. BILL NO. 2463 RE: CODE AMENDMENT RELATING TO LOT SIZE REQUIREMENTS FOR CHURCHES

(A bill number was assigned at the meeting of 10-20-15; however, it was tabled without any readings. See City Administrator Sabo's memo regarding the reason it was placed on this agenda.)

On motion by Alderman Beckerle, seconded by Alderman Berry and unanimously passed, Bill No. 2463 was read for the first time by short title.

BILL NO. 2463: AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATING TO THE MINIMUM LOT SIZE FOR CHURCHES IN CERTAIN SINGLE-FAMILY ZONING DISTRICTS.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2463 was read for the second time by short title.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2463 was read for the third and final time.

Alderman Kee moved, THAT BILL NO. 2463 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Berry.

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. 2463 passed and designated it to be Ordinance No. 2364.

16. REVIEW OF SPECIAL USE PERMITS

A. Prestige Pet Grooming - Pet grooming shop - 300 West Fourth Street.

B. Dr. David Hunt - Veterinary clinic - 102 Dreyer Avenue.

C. QuikTrip Corporation - Gasoline service station/convenience store - 290 East Fourth Street.

D. Voss Properties - Private riding stable - 225 Augustine Road.

E. Audrey Laubinger - Residential use of a structure in a Commercial District - 525 Orchard Lane.

F. John LaVelle - Sale of alcoholic beverages not in conjunction with a restaurant, cafeteria or supermarket with the inclusion of a pavilion - 107 South Central Avenue.

G. Assist 2 Sell Realty - Apartment on property located at 111 North Central Avenue to be used primarily for commercial purposes.

16. CONT'D.

H. James Hunt and Carol Meyer - Residential use of a structure in a Commercial District - 312 Cahoon Drive.

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

17. RECURRING BILLS FOR APPROVAL

The list of recurring bills, paid in November, was reviewed by the Board.

Alderman Britt inquired as to how frequently the pool painting expense (Bazan Painting Company, \$10,495.00) would recur; City Administrator Sabo said he did not know, adding that the pool had been open for two (2) seasons.

Alderman Britt also asked if the payment to George Butler Associates for \$943.50 would be reimbursed to the City by McBride; the City Administrator said it would.

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

18. BILLS FOR PAYMENT

An amended list of bills, with the one (1) addition identified, was considered by the Board.

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

19. STATEMENT OF FINANCES - NOVEMBER 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 11-30-15.

20. 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, potential litigation and public safety.

21.

Alderman Kee related that he received a complaint from a resident who received a water shut-off letter and the next day the meter was shut off and locked.

The City Administrator explained that the bill was for three (3) months of service and the resident had received the letter and a courtesy phone call before the service was shut off by the Public Works Department.

22. CLOSED SESSION

23. OPEN SESSION RECONVENED

24.

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

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk