

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 and Beckerle. Alderman Murray arrived during the guest period.

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 Beckerle and unanimously passed, the Minutes of January 5, 2016 were approved.

3. GUESTS

A. Don Hinkebein, of 324 Cerny Avenue, addressed the Mayor and Board on several subjects.

Mr. Hinkebein commented about the recent flooding and the need for an emergency access to and from the Augustine Heights area.

Mayor Coffey said he was looking into an emergency access through The Timbers Recreation Center property.

Don Hinkebein referred to the proposed Flower and Fendler residential development on Augustine Road and the fact that as a result of the flooding there were three (3) feet of water over the road at the proposed entrance to the subdivision.

Mayor Coffey related that Sean Flower was giving consideration to moving the entrance to a higher elevation along Augustine Road.

Don Hinkebein said that over the years there has been a dramatic increase in traffic on Augustine Road but the road has remained as it was. He said improvements were necessary, such as curbs, sidewalks and stop signs.

4. SPECIAL EVENT PERMIT APPLICATION

Jeff Neuschwander - Roller Coaster Race - Six Flags - May 1st

Chris Leonard was in attendance regarding the proposed race. He explained that last year's event was completely on Six Flags' property but they wished to change the route, with part of the run being on public rights-of-way. Two (2) options were included with the application. Mr. Leonard said they preferred Option No. 1.

Alderman Beckerle asked Chris Leonard if they had contacted MoDOT regarding their run; he said they had submitted an application but had not yet received a response.

Chris Leonard said that if MoDOT and the City approved their proposal they would pay the Eureka Police to monitor the race.

City Attorney Butler said that due to past liability issues with the MoDOT right-of-way, she was not in favor of Option No. 1 and against authorizing something that was not on a City right-of-way.

Following a general Aldermanic discussion, a motion was made by Alderman Britt to approve the event if it was completely on Six Flags' property. If MoDOT approves anything on their right-of-way the applicant can come back to the Board for consideration of using any City rights-of-way. The motion was seconded by Alderman Beckerle and unanimously passed.

5. VERIZON WIRELESS STORE CONSIDERATION

A request was received for the approval of a Verizon Wireless Store at 1 West Fifth Street.

(Approval is required for any business activity at this location due to the fact that the property is zoned Planned Commercial.)

Jose Ordonez, with Cellular Sales, distributed a proposed design for the exterior of the building and said they would also be upgrading the interior. He said they would hire eight (8) to ten (10) people and anticipated opening on May 1st.

On motion by Alderman Sir, seconded by Alderman Murray and unanimously passed, the business was approved.

6. PLANNING AND ZONING COMMISSION RECOMMENDATION FROM 12-23-15

A. The Commission recommended approval of a petition from Flower and Fendler, Inc. for rezoning of approximately 13.57 acres from R-1 and 1-A Single-Family Residential to R-1 Community Unit Plan located at 84 and 86 Augustine Road and 333 and 339 Cerny Avenue (the petitioner has withdrawn the application).

7. PLANNING AND ZONING COMMISSION RECOMMENDATION FROM 1-13-16

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

8. BILL NO. 2480 RE: AGREEMENT FOR LANDSCAPE ARCHITECTURAL SERVICES
On motion by Alderman Berry, seconded by Alderman Beckerle and unanimously passed, Bill No. 2480 was read for the first time by short title.

BILL NO. 2480: AN ORDINANCE AUTHORIZING ENTERING INTO AN AGREEMENT WITH DG2 DESIGN FOR LANDSCAPE ARCHITECTURAL SERVICES.

City Attorney Butler referred to Page 3 of the agreement and recommended that the City retain ownership of all drawings, specifications and other documents prepared by DG2, because of the fact that at some point in the future the City may put the work out for bids.

There was unanimous agreement for the contract amendment.

On motion by Alderman Britt, seconded by Alderman Sir and unanimously passed, Bill No. 2480 was read for the second time by short title, as amended.

On motion by Alderman Sir, seconded by Alderman Berry and unanimously passed, Bill No. 2480 was read for the third and final time.

Alderman Britt moved, THAT BILL NO. 2480 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Beckerle.

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

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2480 passed and designated it to be Ordinance No. 2368.

9. BILL NO. 2481 RE: AUTHORIZING PROPOSITION FOR APRIL 5TH GENERAL ELECTION

On motion by Alderman Berry, seconded by Alderman Britt and unanimously passed, Bill No. 2481 was read for the first time by short title.

BILL NO. 2481: 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 THE TITLING OF MOTOR VEHICLES, TRAILERS, BOATS AND OTHER OUTBOARD MOTORS THAT WERE PURCHASED FROM A SOURCE OTHER THAN A LICENSED MISSOURI DEALER.

On motion by Alderman Britt, seconded by Alderman Berry and unanimously passed, Bill No. 2481 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Kee and unanimously passed, Bill No. 2481 was read for the third and final time.

Alderman Kee moved, THAT BILL NO. 2481 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Sir.

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

The motion for adoption was passed unanimously.

Mayor Coffey declared Bill No. 2481 passed and designated it to be Ordinance No. 2369.

10. REVIEW OF SPECIAL USE PERMITS

- A. Arby's - Restaurant with drive-through component - 60 Hilltop Village Center Drive.
- B. Valvoline Instant Oil Change - Motor vehicle maintenance services - 12 Hilltop Village Center Drive.
- C. Omnipoint Communications & Voicestream Wireless - Radio, television and communications transmission tower - 115 East Fifth Street.
- D. Wholesale Plumbing Supply, Inc. - Outdoor storage and display of plastic pipe - 720 West Fourth Street.
- E. First Community Credit Union - ATM with drive-through component - 157 Eureka Towne Center Drive.
- F. Burger King - Restaurant with drive-through component - 235 West Fifth Street.
- G. Mercy Health Care - Medical office, lab and X-ray facility - The Shoppes at Hilltop.
- H. Fifth Street Motors - Display lot for the retail sale of used motor vehicles including activities incidental to this use - 520 Abby Lane.
- I. Cindy Ruprecht - 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 - 199 Allen Road.
- J. Byerly Trailer and Manufacturing - Recreational vehicles with an expanded display lot and parking area and expansion of the existing building - 295 East Fifth Street.

10. CONT'D.

On motion by Alderman Berry, seconded by Alderman Beckerle 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, 2017.

11. RECURRING BILLS FOR APPROVAL

The list of recurring bills, paid in December, 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.

12. BILLS FOR PAYMENT

The list of bills was considered by the Board.

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

13. STATEMENT OF FINANCES - DECEMBER 31, 2015

On motion by Alderman Berry, seconded by Alderman Murray and unanimously passed, the Board of Aldermen acknowledged receipt of the financial statements for the period ending 12-31-15.

14. CALL FOR CLOSED SESSION

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

15.

Alderman Beckerle inquired as to how long Legion Park would be closed, now that the flood debris was removed.

City Administrator Sabo said an insurance inspection had not yet been performed on the Community Center and then the reconstruction would commence, so he did not yet have an anticipated opening date.

16.

Alderman Murray said she has had calls about the gymnastics and Tae Kwon Do classes which had been held at the Community Center and inquired as to why they could not be moved to the Recreation Center. She said that employees at The Timbers were telling people that the Community Center would be open by the second week of February.

The City Administrator said that the class instructors should be communicating with their students.

There was consensus that the Community Center would very likely not be open by the second week of February.

Mr. Sabo said he would discuss the matter with Missy Myers.

17. BERRY PARK PARKING

Alderman Sir asked if the "no parking" signs had been installed in Berry Park; Chief Wiegand said they had not.

Chief Wiegand was asked if he would inform the high school of the change in the parking restrictions; he said that he would.

18. CLOSED SESSION

19. OPEN SESSION RECONVENED

20.

There being no further matters for discussion, the meeting was adjourned at 8:40 p.m.

For a record of the Closed Session at Item No. 18, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Ralph M. Lindsey, Jr., City Clerk