

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 Flower, Aldermen Berry, Murray, Kiefer, Ascrizzi, Sir and Holloway.

Also in attendance were City Administrator Craig Sabo, City Attorney Kathy Butler and City Clerk Julie Wood.

2. MINUTES

On motion by Alderman Kiefer, seconded by Alderman Sir and unanimously passed, the Minutes of December 17, 2019 as amended and January 7, 2020 were approved.

3. GUESTS

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

4. SPECIAL EVENT PERMIT APPLICATIONS

A. Pat Grimshaw, representing Geggie Elementary - 10th Annual Geggie 5K Walk/Run - 430 Bald Hill Road - April 25th.

Pat Grimshaw was in attendance and requested permission for Geggie Elementary School to hold their 10th Annual 5K Run.

On a motion by Alderman Holloway, seconded by Alderman Murray and unanimously passed, the Special Event was approved.

B. Shawn Archambault - KMA Kickball Tournament - Legion and Lions Park - September 26th and 27th.

Shawn Archambault requested permission to hold his annual KMA Kickball Tournament, which would be held in Legion and Lions Park on September 26th and 27th.

On a motion by Alderman Sir, seconded by Alderman Ascrizzi and unanimously passed, the Special Event was approved.

5. PLANNING AND ZONING RECOMMENDATIONS FROM DECEMBER 11, 2019

A. The Commission recommended denial of a petition from McDonald's USA, LLC, for a Special Use Permit to allow operation of a drive-through component in connection with a restaurant at 105 East Fourth Street.

Alderman Sir said that he believes the traffic impact study and the proposed improvements Fifth Street Properties and QuikTrip are making, as well as the other changes that have already begun on Highway 109 will make a significant improvement on traffic flow, and that he is favor of it.

Alderman Berry related that he agrees that this will make a big difference with the traffic issues in that area and that he is also in favor of it.

Alderman Ascrizzi said that the addition of the traffic signal sensors is a big improvement and she was very pleased with their water detention approach.

Alderman Murray stated that she felt improvements were also needed at the intersection of Fourth Street and Central Avenue.

Mayor Flower said that all of the information was given to MoDOT and they didn't believe improvements needed to be made at that intersection. He stated that MoDOT controls the roadway, and the City can't force them or require anyone else to make improvements in State right-of-way.

Alderman Murray said that she disagreed and thinks there needs to be additional communication with MoDOT, as she believes there will be a bigger impact than what was shared with them. She added that she thinks this will negatively affect residents, and doesn't feel the City should move forward on this until the City speaks with MoDOT about it.

Alderman Sir said that MoDOT was were given all of the information and they responded that the impact was not great enough to warrant additional improvements.

Alderman Sir moved that the Special Use Permit be approved, seconded by Alderman Ascrizzi.

The roll call vote was as follows: Alderman Kiefer - YES; Berry - YES; Ascrizzi - YES; Murray - NO; Sir - YES; Holloway -YES. With five (5) "YES" votes and one (1) "NO" vote, the Special Use Permit was approved.

## 6. PLANNING AND ZONING RECOMMENDATIONS FROM JANUARY 15, 2020

A. The Commission recommended approval of a petition from Roger Johnson, representing R & W Outdoor Equipment Repair, for a Special Use Permit for a small engine repair facility at 18601 U.S. Highway 66.

On motion by Alderman Sir, seconded by Alderman Berry and unanimously passed, the Special Use Permit was approved.

B. The Commission recommended approval of a petition from Kelly Pearce to amend Chapter 23 of the Municipal Code relating to accessory structure setback requirements.

Alderman Sir requested the matter be tabled to give the Board and City staff more time to look at the total scope of the proposed amendment.

Mayor Flower asked for Mr. Pearce to present to the Board a summary as to the reason for his proposed change to the Municipal Code.

Kelly Pearce said that he is asking for the amendment so that he would be able to put a pool in his backyard. He stated that currently the Code does not allow structures like pools within twenty-five (25) feet of the rear property line. He added that this is something that many of his neighbors would like to do as well.

Mayor Flower asked how close his pool would be to his rear property line.

Mr. Pearce replied that it would be within ten (10) feet, but the amendment he is proposing would allow them within five (5) feet. He said he checked with other municipalities when crafting the amendment, adding that Sunset Hills, for instance, requires one to go to the Board of Adjustments for approval.

City Attorney Butler asked if he would be willing to go to the Board of Adjustment.

Mr. Pearce said that he did not have a lot of hope since he was told that this type of variance change had never been approved. He stated that although he does not have a specific number, he knows multiple people would also like to construct a swimming pool closer than twenty-five (25) feet from their rear property line.

Mayor Flower asked Mr. Pearce if it is a structure issue or just a pool issue.

Alderman Sir said that the only reason he wanted to table it was to make sure that changing "building" to "structure" as proposed in Mr. Pearce's proposed amendment didn't create a problem, adding that possibly a swimming pool could be specifically provided for rather than stating structures generally.

City Attorney Butler asked if the City had a plan of that which he is proposing.

Mr. Pearce said that Building Commissioner John Boggs has a plan.

Mayor Flower asked Mr. Pearce to give the City a little time to look at all of the implications.

C. The Commission recommended approval of a petition from Dobbs Tire and Auto Center for a Special Use permit for a tire and auto service at 1299 West Fifth Street.

Mike Perry from HBD Construction was in attendance and explained that they are returning the building to its original use, remodeling the sales area and adding overhead doors. He said they will be putting in an enclosed trash area where tires being discarded will also be placed and also striping the parking lot. He added that there will be no outdoor storage of tires.

Alderman Sir recommended that the Board include the Planning and Zoning Commission's conditions to put directional arrows for ingress and egress coming from Top Notch Lane to the property.

On motion by Alderman Berry, seconded by Alderman Ascrizzi and unanimously passed, the Special Use Permit was approved with conditions recommended by the Planning and Zoning Commission.

D. The Commission recommended approval of a petition from Patrick Geraty, representing PTG Investments, LLC, for rezoning approximately 4.06 acres from Commercial to Planned Industrial at 18593 U.S. Highway 66 (see item 7 below).

## 7. BILL NO. 2643 RE: REZONING 4.06 ACRES FROM COMMERCIAL TO PLANNED INDUSTRIAL

On motion by Alderman Berry, seconded by Alderman Ascrizzi and unanimously passed, Bill No. 2643 was read for the first time by short title.

BILL NO. 2643: AN ORDINANCE REZONING AN APPROXIMATELY 4.06 ACRE PARCEL FROM COMMERCIAL TO PLANNED INDUSTRIAL

**7. CONT'D.**

On motion by Alderman Sir, seconded by Alderman Holloway and unanimously passed, Bill No. 2643 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Ascrizzi and unanimously passed, Bill No. 2643 was read for the third and final time.

Alderman Berry moved, THAT BILL NO. 2643 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Kiefer.

The roll call vote was as follows: Alderman Kiefer - YES; Berry - YES; Ascrizzi - YES; Murray - YES; Sir - YES; Holloway - YES.

The motion for adoption was passed unanimously.

Mayor Flower declared Bill No. 2643 passed and designated it to be Ordinance No. 2529.

**8. BILL NO. 2644 RE: RENEWAL OF POLICE COMMUNICATIONS CONTRACT**

On motion by Alderman Berry, seconded by Alderman Murray and unanimously passed, Bill No. 2644 was read for the first time by short title.

**BILL NO. 2644: AN ORDINANCE AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH ST. LOUIS COUNTY FOR THE PROVISION OF POLICE COMMUNICATION SERVICES**

On motion by Alderman Berry, seconded by Alderman Kiefer and unanimously passed, Bill No. 2644 was read for the second time by short title.

On motion by Alderman Berry, seconded by Alderman Sir and unanimously passed, Bill No. 2644 was read for the third and final time.

Alderman Sir moved, THAT BILL NO. 2644 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Berry.

The roll call vote was as follows: Alderman Kiefer - YES; Berry - YES; Ascrizzi - YES; Murray - YES; Sir - YES; Holloway - YES.

The motion for adoption was passed unanimously.

Mayor Flower declared Bill No. 2644 passed and designated it to be Ordinance No. 2530.

**9. BILLS FOR APPROVAL**

The list of bills was considered by the Board.

Alderman Murray asked if the report the Finance Director is preparing quarterly can be provided monthly.

Mayor Flower suggested the Board discuss the matter and any other requests at the next budget hearing.

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

**10. RECURRING BILLS FOR APPROVAL**

The list of recurring bills was reviewed by the Board.

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

**11. EUREKA COMMERCIAL PARK TDD APPOINTMENTS**

Alderman Sir stated that it is proposed that Mayor Sean Flower, City Administrator Craig Sabo and Finance Director Barbara Flint be appointed to the Board of Directors for the Eureka Commercial Park TDD, for the terms set forth in that which the City Administrator provided.

On motion by Alderman Sir, seconded by Alderman Berry and unanimously passed, the appointments were approved.

**12. MAYORAL, ALDERMANIC AND STAFF COMMENTS AND REPORTS**

Alderman Holloway stated that he received requests for signage on Central Avenue when trains are coming through due to vehicles blocking side streets. He said he would also like the Board to consider more signage for vehicles exiting off of westbound I-44, adding that cars are crossing all lanes of traffic to turn left onto Fifth Street, backing up and disrupting traffic flow on Highway 109.

## 12. CONT'D.

Mayor Flower said we can speak to MoDOT about a possible solution.

Alderman Murray suggested live streaming Planning and Zoning meeting be considered. She said there are potholes on Augustine Road that need to be addressed, and they still need to better distinguish between the trail and roadway.

Mayor Flower said the trail project is not yet completed, adding that he will reach out to Gershenson and see what they suggest to better define the trail along Augustine Road.

Alderman Ascrizzi said that there is a property owner that lives in Shaw's Garden that has done what she can to improve storm water drainage in her yard. She inquired as to if there would be any help or advice the City could give to this resident regarding structuring a letter to her neighbors to request they angle their drainage away from her property.

Mayor Flower said that he is very encouraged that a businesses like Dobbs are showing an interest in Eureka, as well as the investment put forth by McDonald's for a new facility. He stated that he believes this is showing growth and is an indication that other businesses are similarly looking at Eureka.

Alderman Ascrizzi commented on how well the creeks handled the storm water and commended how City staff handled it.

## 13. CALL FOR CLOSED SESSION

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

## 14. CLOSED SESSION

## 15. OPEN SESSION RECONVENED

## 16. ARBORS OF ROCKWOOD - CITY TRAFFIC REGULATION ENFORCEMENT

Mayor Flower stated that McBride Homes has proposed that the Board authorize the City to enforce traffic regulation provisions prior to the streets being dedicated over to the City as public.

On motion by Alderman Berry, seconded by Alderman Sir and unanimously passed, enforcement of City traffic regulation provisions within the Arbors of Rockwood subdivision was approved.

## 17.

There being no further matters for discussion, the meeting was adjourned at 9:42 p.m.

For a record of the Closed Session Minutes at Item No. 14, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

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Julie Wood, City Clerk