

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 Sir, Diekmann, Kilpatrick, Murray, Holloway and Ascrizzi.

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

There were thirty-three (33) people in the audience both in person and online.

2. MINUTES

On motion by Alderman Diekmann, seconded by Alderman Sir and unanimously passed, the minutes of May 3, 2022 were approved.

3. GUEST PERIOD

A. David Pudlowski, of 728 Emerald Oaks Court, addressed the Board regarding approving a gathering of the residents in Emerald Forest for a block party. He shared that they have many new residents and this would be a great opportunity to meet neighbors and welcome new people to Eureka. He said seating will be in driveways and off the street and they will work with the Eureka Police Department on any suggestions they provide to make the event safe.

The Board was in favor of the event and said they will continue to support events that make the community more connected.

B. Jean Kesterson, of 34 Autumn Way Court, addressed the Board about cleaning up the trash on Fifth Street. She said she and Joan Romero adopted Fifth Street as a result of so many complaints through social media about the amount of trash along the roadway. She is asking for more volunteers to join them on June 1st from 10:00 a.m. to 12:00 p.m., noting that interested volunteers should meet at the Old Library location in front of Walmart. Ms. Kesterson said she believes it may take several days to clean up this stretch of road, and hopes the community will support the effort.

C. Don Schoenberger, of 22 Rockwood Place Court, said that he doesn't see the purpose of the new no parking signs on Rockwood Place Court. He said he feels like it is unnecessary and wrong. He stated that he believes it is just two (2) people that have been complaining. He said the signs cause a major inconvenience as it eliminates a third of their parking. Mr. Schoenberger said he believes they need to be taken down.

D. Ron Brake, of 23 Rockwood Place Court, said he believes it is an overkill on the part of the Board to post the no parking signs. He said he thinks that if the parking needs to be adjusted it could just be on one side of the street rather than both sides.

E. Marcial Amaro, of 30 Rockwood Place Court, said he believes he may be the reason the no parking signs were erected. He stated that the no parking zone encompasses four (4) to five (5) homes. He explained that he has spoken to the trash company and watched emergency vehicles and delivery trucks maneuver fine in the neighborhood. He said he believes his daughter parked in front of his neighbor's driveway and now the neighbor takes every chance to park in front of his house instead of in her driveway. He stated that the signs were put up to appease the situation, but he believes it just created a bigger problem for the subdivision, as cars will be parked on both sides of the street making it much more narrow and harder to navigate.

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F. Jennifer Lieber, owner of Chick N Elly's, explained that they had a fire back in December. She said demolition has just started due to a delay with the insurance company and in the interim they have purchased a food truck to bring in some revenue while the repairs are being completed. Ms. Lieber requested to place the truck in their lot and open a few nights a week for up to ninety (90) days. She said patrons can utilize their outdoor patio for seating as well as some picnic tables placed in the lot.

Mayor Flower explained that our current ordinance prohibits food trucks operating in this manner. He said that during the flood we allowed temporary preparation of food for restaurants like Joe Boccardi's and Sarah's, and if the City were to allow this we would need to pass legislation allowing the use of a food truck during extenuating circumstances like fire, floods, etc.

Following a brief discussion, the consensus was to draft an ordinance for Board consideration at the next Aldermanic meeting.

On motion by Alderman Kilpatrick, seconded by Alderman Holloway and unanimously passed, a moratorium on prosecution for a period of thirty (30) days was granted while the necessary legislation is being created.

4. PLANNING AND ZONING RECOMMENDATIONS FROM APRIL 27, 2022

A. The Commission recommended approval of a petition from Joe Jasensky for a Special Use Permit for residential use in a commercial district at 532 Abby Lane.

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

B. The Commission recommended approval of a petition from Emily Allison, representing AEB Motorsports, LLC, for a Special Use Permit for a motor vehicle display lot at 300 West Fourth Street, Suite I.

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

C. The Commission recommended approval of a petition from Robyn Weaver, representing the Robyn's Nest, to amend the Planned Commercial zoning at 22A Dreyer Avenue to allow for an event center (see Item No. 5 below).

D. The Commission negatively recommended a petition initiated by the City of Eureka amending the Municipal Code relating to residential front and side yard regulations (see Item No. 7 below).

Alderman Kilpatrick said he had reached out to all Planning and Zoning members and those to whom he spoke stated that their objection was to the side yard setbacks included in the ordinance, and suggested that the proposed side yard setback changes be stricken from the Bill.

On motion by Alderman Diekmann, seconded by Alderman Sir and unanimously passed, Bill No. 2768 was amended to remove proposed side yard setback changes (see Item No. 7 below).

5. BILL NO. 2771 RE: AMENDING PLANNED COMMERCIAL ZONING

On motion by Alderman Sir, seconded by Alderman Murray and unanimously passed, Bill No. 2771 was read for the first time by short title.

BILL NO. 2771: AN ORDINANCE AMENDING THE PLANNED COMMERCIAL ZONING AT 22 DREYER AVENUE.

On motion by Alderman Murray, seconded by Alderman Kilpatrick and unanimously passed, Bill No. 2771 was read for the second time by short title.

On motion by Alderman Murray, seconded by Alderman Holloway and unanimously passed, Bill

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No. 2771 was read for the third and final time.

Alderman Sir moved, THAT BILL NO. 2771 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Murray.

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

The motion for adoption was unanimously passed.

Mayor Flower declared Bill No. 2771 passed and designated it to be Ordinance No. 2656.

6 ADDITIONAL PLANNING AND ZONING RECOMMENDATION FROM MAY 11, 2022

A. The Commission recommended approval of a petition from Robyn Weaver, representing the Robyn's Nest, to amend the Planned Commercial zoning at 22A Dreyer Avenue to allow for an event center.

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

7. BILL NO. 2768 RE: RESIDENTIAL FRONT YARD REGULATIONS

BILL NO. 2768 RE: AN ORDINANCE TO AMEND THE MUNICIPAL CODE RELATING TO CERTAIN SINGLE-FAMILY RESIDENTIAL FRONT YARD PROVISIONS.

On motion by Alderman Kilpatrick, seconded by Alderman Sir and unanimously passed, Bill No. 2768 was read for the third and final time, as amended.

Alderman Kilpatrick moved, THAT BILL NO. 2768 AS AMENDED BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Holloway.

The roll call vote was as follows: Alderman Diekmann - YES; Sir - YES; Murray - NO; Ascrizzi - YES; Kilpatrick - YES; Holloway - YES.

The motion for adoption passed with five (5) "YES" votes and one (1) "NO" vote (cast by Alderman Murray).

Mayor Flower declared amended Bill No. 2768 passed and designated it to be Ordinance No. 2657.

8. APPROVAL OF CITY DISBURSEMENTS

The list of City disbursements was reviewed by the Board.

On motion by Alderman Holloway, seconded by Alderman Diekmann and unanimously passed, the list of City disbursements was approved for payment.

9. MAYORAL, ALDERMANIC AND STAFF COMMENTS AND REPORTS

Alderman Holloway said a resident living at 609 Hill Drive was concerned that there are no parking signs on both sides of the street. He also said golf balls are being hit off the golf course and damaging vehicles. He stated the resident would like the course to put up something to keep the balls from going into that area. He added that the resident also said that he regularly observes people illegally access the course off of Hill Drive.

Mayor Flower directed staff to look into the issue.

Alderman Kilpatrick thanked Sergeant Sindell and Chief Wiegand for allowing him to do a ride along to kick off National Police Week. He said that it was a neat experience that included using the drone which showed them heat signatures for everyone on the ground, seeing the Flock cameras in action and responding to an impaired driver slumped in their car. He said he was impressed with

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how incredibly calm and respectful the officers were with the driver and believes the crisis training the police undergo gives them the skills to work well in this situation.

10. CALL FOR CLOSED SESSION

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

11. CLOSED SESSION

12. OPEN SESSION RECONVENED

13. ROCKWOOD PLACE COURT

On motion by Alderman Sir, seconded by Alderman Murray and unanimously passed, erecting "No Parking" signs on the fire hydrant side of the street on Rockwood Place Court was approved.

14.

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

For a record of the Closed Session Minutes at Item No. 11, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Julie Wood, City Clerk