

**1. CALL TO ORDER**

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

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

**2. MINUTES**

On motion by Alderman Murray, seconded by Alderman Sir and unanimously passed, the Minutes of July 22, 2020 were approved.

**3. GUEST**

There were no guests who wished to address the Board of Aldermen.

**4. TEMPORARY OUTDOOR DINING AREA REQUEST**

A. Melvin Brewing Eureka, LLC and Poor Richard's Restaurant - Hilltop Village Center Drive.

Mayor Flower and Alderman Holloway recused themselves from discussion and consideration of this item.

Speaking on behalf of Melvin Brewing Eureka, LLC and Poor Richard's was Mr. Jeffrey Fillers of Melvin Brewing Eureka, LLC. He stated that he was requesting permission for the City to provide a temporary platform for their restaurants to use for various outdoor activities on their parking lot such as bands, outdoor movie nights, and golf cart and mountain bike nights. Mr. Fillers said the activities would be held weekly on certain nights through the Fall, to encourage residents to stay in Eureka for entertainment and dining instead of visiting neighboring community businesses. He added that the events would end at 10:00 p.m. as is currently mandated under St. Louis County guidelines in regards to COVID-19.

Alderman Sir inquired as to if they had received approval from the property owner of the shopping center; Mr. Fillers stated that they did, and that the owner had provided a letter of support which he included in the documents submitted to the City for consideration.

Alderman Sir inquired as to if he had consulted with the Police Department regarding traffic and safety issues; Mr. Fillers replied that he had not, but will do so.

Police Chief Wiegand noted that it is illegal to drive golf carts on Fifth Street.

Alderman Sir stated that Mr. Fillers may wish to offer a map depicting how golf cart drivers could travel legally to his location.

City Attorney Butler explained that the request could not be approved by the Board at this meeting as there would need to be Code amendments for the activity to be allowed.

Alderman Ascrizzi inquired as to if the events would be held every evening; Mr. Fillers stated that they would most likely be held Wednesday through Sunday.

Alderman Ascrizzi inquired as to if parking spaces will be utilized for outdoor seating; Jeff Fillers replied that they would.

Alderman Kilpatrick asked if he had consulted with the Eureka Fire Protection District to inquire as to if they may have concerns regarding the proposed activities.

Mr. Fillers replied that he had not yet done so.

City Attorney Butler stated that the request should be forwarded to City staff to research and propose ordinance amendments as well as contact the Fire District for their opinion on the matter. She related that Mr. Fillers could work with City staff toward possible Code amendments and return to the next Board of Aldermen meeting.

On motion by Alderman Diekmann, seconded by Aldermen Ascrizzi and unanimously passed, City staff will work with Mr. Fillers toward drafting proposed Code amendments for Board consideration. Mr. Sabo asked Mr. Fillers to contact him to coordinate that process.

**5. PLANNING AND ZONING RECOMMENDATIONS FROM JULY 29, 2020**

A. The Commission recommended approval of a petition from Windswept Farms, LLC for a

## 5. CONT'D.

subdivision of land approximately 71.4 acres (Windswept Farms Subdivision Plat 2) (see Item 6 below).

## 6. BILL NO. 2663 RE: WINDSWEPT FARMS PLAT 2

Mayor Flower recused himself from this item.

Alderman Sir stated that approving the petition was a ministerial act.

On motion by Alderman Diekmann, seconded by Alderman Kilpatrick and unanimously passed, Bill No. 2663 was read for the first time by short title.

## BILL NO. 2663: AN ORDINANCE APPROVING WINDSWEPT FARMS PLAT 2 FINAL PLAT

On motion by Alderman Ascrizzi, seconded by Alderman Diekmann and unanimously passed, Bill No. 2663 was read for the second time by short title.

On motion by Alderman Ascrizzi, seconded by Alderman Diekmann and unanimously passed, Bill No. 2663 was read for the third and final time.

Alderman Holloway moved, THAT BILL NO. 2663 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Ascrizzi.

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

The motion for adoption was passed unanimously.

Alderman Sir declared Bill No. 2663 passed and designated it to be Ordinance No. 2549.

## 7. BILL NO. 2664 RE: AMENDED ST. LOUIS COUNTY CODES

On motion by Alderman Sir, seconded by Alderman Diekmann and unanimously passed, Bill No. 2664 was read for the first time by short title.

## BILL NO. 2664: AN ORDINANCE AMENDING CHAPTER 5 OF THE MUNICIPAL CODE RELATING TO THE ADOPTION OF UPDATED ST. LOUIS COUNTY BUILDING CODES

On motion by Alderman Ascrizzi, seconded by Alderman Holloway and unanimously passed, Bill No. 2664 was read for the second time by short title.

On motion by Alderman Murray, seconded by Alderman Diekmann and unanimously passed, Bill No. 2664 was read for the third and final time.

Alderman Sir moved, THAT BILL NO. 2664 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Ascrizzi.

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

The motion for adoption was passed unanimously.

Mayor Flower declared Bill No. 2664 passed and designated it to be Ordinance No. 2550.

## 8. BILLS FOR PAYMENT

The list of bills was considered by the Board.

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

## 9. STATEMENT OF FINANCES FOR PERIOD ENDING JULY 31, 2020

On motion by Alderman Sir, seconded by Alderman Ascrizzi and unanimously passed, the Board of Aldermen acknowledged receipt of the financial statements for the period ending July 31, 2020.

## 10. MAYORAL, ALDERMANIC AND STAFF COMMENTS AND REPORTS

Alderman Sir thanked Alderman Diekmann for reaching out to his contact with the BNSF Railroad to have their crossing repaired on Central Avenue as the work had been completed.

Alderman Ascrizzi stated that The Legends South Homeowners Association had approved the bowhunting request for this year.

Mayor Flower stated that he would like bowhunters to be allowed to hunt in the adjoining park, and that City staff will once again be authorizing the hunting permits.

Mayor Flower reported that there was a big voter turnout for the election. He said that it was reported that it was as high as forty (40) percent at polling places in the City, and that the Missouri American Water sale had apparently contributed to the high voter turnout in Eureka.

## 10. CONT'D.

Alderman Murray inquired as if City staff could look into replacing the fire hydrant on Grace Rose Court. She stated that a resident reported that it appeared to be in deteriorating condition and in need of replacement.

Alderman Holloway stated that he had concerns with golf carts being operated by underage drivers in The Legends. He said that they are creating dangerous driving conditions for both the operators of the golf carts and automobiles as the underage drivers are not obeying traffic regulations, and he is afraid serious injury or worse will occur if it is allowed to continue.

City Administrator Sabo stated that in addition to the minimum age requirement for driving a golf cart, they must be inspected by City staff to ensure compliance with the City's golf cart regulations. Alderman Ascrizzi related that she will have a post placed on The Legends Facebook page directing residents to the HOA website to review the regulations. She explained that there are numerous new residents in The Legends that may not be aware of the regulations.

Alderman Holloway requested that City staff place signage on Main Street at the rear entrance to The Legends forewarning drivers that the Allenton Bridge is closed when there are signaling issues or repair work being performed so that residents do not have to drive to the bridge before learning it is closed.

## 11. CALL FOR CLOSED SESSION

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

## 12. CLOSED SESSION

## 13. OPEN SESSION RECONVENED

## 14.

There being no further matters for discussion, the meeting was adjourned at 7:58 p.m.

For a record of the Closed Session Minutes at Item No. 12, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

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Barb Griffin, Acting Secretary