

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, Murray, Sir and Holloway. Alderman Ascrizzi was absent.

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

2. MINUTES

On motion by Alderman Sir seconded by Alderman Diekmann and unanimously passed, the Minutes of August 4, 2020 were approved.

3. GUEST PERIOD

A. Mike and Marge Maher, of 18066 St. Stevens Road, addressed the Board regarding the “no right-hand turn” sign at the Allenton Bridge. Mr. Maher said that he and his wife drive this road daily and they would like to be able to turn right. He stated that he called MoDOT and was told that the “no right-hand turn” restriction was adopted by the City of Eureka by ordinance. Mr. Maher asked that the City consider changing its ordinance to allow right turns.

City Administrator Craig Sabo said that the Board did pass an ordinance as particularly during peak traffic drivers, have been caught meeting traffic head on as a result of illegally turning on a red light. Mayor Flower requested that the matter be evaluated.

City Attorney Kathy Butler explained that the Ordinance was adopted to prevent drivers from turning right on red after a complete stop, which could result in head on collisions.

4. PLANNING AND ZONING RECOMMENDATIONS FROM AUGUST 12, 2020

A. The Commission recommended approval of a petition initiated by the City of Eureka to amend the Municipal Code for the creation of a new Residential Zoning District classification as a result of an annexation (For Board action see Item No. 7 below.)

5. CORNER LOT FRONT YARD FENCE APPLICATION - 16802 ENDERBUSH LANE

Ryan Bader was in attendance to request a corner lot front yard fence at 16802 EnderBush Lane.

Mayor Flower asked Mr. Bader to contact Building Commissioner John Boggs to provide more detail including the distance from the lot line to the fence, adding that he did not feel the Board had sufficient information to make a decision at this time.

6. HARBORING AND RAISING OF CHICKENS APPLICATION - 54 WHITE DOE COURT

Jesse and Elizabeth Leuthauser were in attendance to request approval to harbor and raise chickens at 54 White Doe Court.

City Attorney Butler inquired as to how many chickens they plan on raising. Mrs. Leuthauser said there will be six (6) chickens and the coop will be placed approximately seventy-five (75) feet away from the closest neighboring structure.

Alderman Sir related that he was against allowing a variation from the code due to the lot being less than ten thousand (10,000) square feet and he is concerned that granting the application would set precedent for future applications.

Mayor Flower said that this lot backs up to common ground and is wider than most, therefore, he supports the application. He stated that this lot was unique enough that it could be differentiated from other yards of similar square footage for future applications.

On motion by Alderman Murray seconded by Alderman Kilpatrick and passed with four (4) “YES” votes and one (1) “NO” vote (cast by Alderman Sir), the application was approved.

7. BILL NO. 2665 RE: ESTABLISHING A NEW RESIDENTIAL ZONING DISTRICT CLASSIFICATION

On motion by Alderman Diekmann, seconded by Alderman Sir and unanimously passed, Bill No. 2665 was read for the first time by short title.

BILL NO. 2665: AN ORDINANCE AMENDING THE MUNICIPAL CODE TO ESTABLISH A NEW RESIDENTIAL ZONING DISTRICT CLASSIFICATION.

On motion by Alderman Murray, seconded by Alderman Sir and unanimously passed, Bill No. 2665 was read for the second time by short title.

7. CONT'D

On motion by Alderman Sir, seconded by Alderman Kilpatrick and unanimously passed, Bill No. 2665 was read for the third and final time.

Alderman Sir moved, THAT BILL NO. 2665 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Murray.

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

The motion for adoption was passed unanimously.

Mayor Flower declared Bill No. 2665 passed and designated it to be Ordinance No. 2551.

8. BILL NO. 2666 RE: FOURTH STREET TRANSPORTATION DEVELOPMENT DISTRICT AGREEMENT

On motion by Alderman Diekmann, seconded by Alderman Sir and unanimously passed, Bill No. 2666 was read for the first time by short title.

BILL NO. 2666: AN ORDINANCE AUTHORIZING AND APPROVING A COOPERATION AGREEMENT BY AND AMONG THE CITY OF EUREKA, MISSOURI, FOURTH STREET TRANSPORTATION DEVELOPMENT DISTRICT, 5TH STREET PROPERTIES, LLC AND QUIKTRIP CORPORATION; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.

On motion by Alderman Sir, seconded by Alderman Diekmann and unanimously passed, Bill No. 2666 was read for the second time by short title.

On motion by Alderman Sir, seconded by Alderman Kilpatrick and unanimously passed, Bill No. 2666 was read for the third and final time.

Alderman Diekmann moved, THAT BILL NO. 2665 BE ADOPTED AS ORDINANCE BY ROLL CALL VOTE. The motion was seconded by Alderman Sir.

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

The motion for adoption was passed unanimously.

Mayor Flower declared Bill No. 2666 passed and designated it to be Ordinance No. 2552.

9. BILLS FOR PAYMENT

The list of bills was considered by the Board.

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

10. RECURRING BILLS FOR APPROVAL

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

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

11. STATEMENT OF FINANCES - JULY 31, 2020

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

12. MAYORAL, ALDERMANIC AND STAFF COMMENTS AND REPORTS

Alderman Murray requested that planning and zoning meetings be live streamed.

Alderman Kilpatrick commented that he agrees.

Following a general discussion, the consensus was to have City staff look into live streaming for future meetings.

Alderman Murray requested that City staff submit large expenses prior to the funds being spent. She also requested regular department updates to be better prepared to explain expenditures to residents. Mayor Flower expressed concern regarding employee time being spent creating reports when City staff is limited at this time. He also stated that it can be difficult to provide advance notice of many items, but he believes more detail can be provided to the Board on capital improvement budget items.

Alderman Kilpatrick said a resident on Elk Run Drive contacted him about a possible leak in the main near their home.

Mayor Flower asked Alderman Kilpatrick to email the Building Commissioner John Boggs and copy himself so the City can follow up on the resident's concern.

12. CONT'D.

Alderman Kilpatrick asked City staff to investigate if there is a collapsed storm water pipe on Forest Hill Drive. He also stated that a Rockwood Jazz Band music teacher would like to get more involved in City events.

City Attorney Kathy Butler recommended that he pass the resident's name on to the Parks Department and Julie Wood.

Alderman Kilpatrick asked about the progress on the landscaping plan for the Mountain Bike Park along Eureka Road.

Mayor Flower related that he just received the plan and will forward it to the Board for review.

13. CALL FOR CLOSED SESSION

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

14. OPEN SESSION RECONVENED

On motion by Alderman Diekmann, seconded by Alderman Murray and unanimously passed, the meeting reconvened in open.

15. OUTDOOR SEATING - HILLTOP VILLAGE

Jeffrey Fillers, representing Melvin Brewing Eureka, addressed the Board regarding his previous request for outdoor seating. Mr. Fillers said that he spoke with the Eureka Fire District and they request he use reflective tape and redirect traffic.

Mayor Flower asked Mr. Fillers to reach out to Building Commissioner John Boggs and Police Chief Michael Wiegand toward creating a safety plan for the City's consideration.

16. 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, public safety, personnel and real estate matters.

17. CLOSED SESSION

18. OPEN SESSION RECONVENED

19.

There being no further matters for discussion, the meeting was adjourned at 8:50 p.m.

For a record of the Closed Session Minutes at Item No. 17, see Minutes this date in the Closed Session File.

Respectfully submitted,

(Original with signature on file)

Julie Wood, City Clerk