BOARD OF ALDERMEN
REGULAR MEETING
FEBRUARY 17, 2015
(JOURNAL AND MINUTES)

The Board of Aldermen for the City of Lake Saint Louis, Missouri met in regular session on Tuesday, February 17, 2015, at 7:00 p.m. in the Board Room at City Hall, 200 Civic Center Drive, Lake Saint Louis, Missouri.

ROLL CALL:

Mayor Schweikert was present and presided over the meeting. Aldermen present were Jason Law, Ward III; Mike Potter, Ward II; Gary Torlina, Ward I; Tony Zito, Ward I; and Karen Vennard, Ward II. Alderman John Pellerito, Ward III, was absent. Also present were: Paul Markworth, City Administrator; Donna Daniel, City Clerk; Matthew Reh, City Attorney; Eric Sterman, Assistant City Administrator; Mike Force, Chief of Police; Steve Schertel, Community Development Director; and Derek Koestel, Public Works Director.

INVOCATION: Ken McDonald, Chaplain, Lake Saint Louis Police Department, offered the invocation.

EXECUTIVE SESSION:

Alderman Potter made a motion to recess Regular Session to convene an Executive Session, pursuant to the legal 610.021.1 exemption in the RSMo 610.021. The motion was seconded by Alderman Vennard: the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed

Regular Session recessed and Executive Session convened at approximately 7:04 p.m.

Having no further legal matters to come before the Board at this time in Executive Session, Alderman Potter made a motion to recess the Executive Session until after Board Comments and reconvene the Regular Session. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed

Executive Session recessed and Regular Session reconvened at approximately 7:12 pm.

ANNOUNCEMENTS:

COMMITTEE REPORTS:

Planning and Zoning Commission – Alderman Torlina gave a report on the February 5, 2015 meeting.

Administrative/Finance/Public Works Committee – Alderman Potter gave a report on the February 17, 2015 meeting.

Architectural Review Board – Alderman Zito gave a report on three (3) ARB meetings.

Alderman Vennard reported on:

- Volunteers in Medicine Dinner - Mayor Schweikert; Alderman Torlina; and Alderman Vennard attended
- Responder Rescuers Program

PUBLIC HEARINGS:

Application for a Site Plan Review and Special Use Permit to operate a business with inflatable bounce houses. The parcel is zoned LI (Light Industrial) and is on 1.6 acres. The property is generally located north of State Highway N, south of Orf Road, west of Lake Saint Louis Boulevard, and east of Stag Industrial Boulevard. Application submitted by Krish Gopalakrishnan.

Mayor Schweikert opened the meeting to a Public Hearing as duly advertised in a legal publication on the above topic.

Hearing no comment, Mayor Schweikert stated the Public Hearing will be closed.

Application for a proposed Zoning Amendment to rezone from NU (Non-Urban) to SR1 (Single-Family Residential, 15,000 square foot minimum) and for a proposed Preliminary Subdivision Plat to create a twenty (20) lot single-family residential development. The property is on 19.03 acres and is generally located at the terminus of Silver Fern Court in Villas at Crimson Oaks subdivision, east of Duello Road, west of Highway 40, south of Prospect Road. Application submitted by Jeremy Malensky, Dutchman Homes LLC.

Mayor Schweikert opened the meeting to a Public Hearing as duly advertised in a legal publication on the above topic.

Brian Robertson, 29 Oak Bluff Drive, stated his opposition to the proposed Zoning Amendment to rezone from NU (Non-Urban) to SR1 (Single-Family Residential), and the proposed Preliminary Subdivision Plat to create a twenty (20) lot single-family residential development. Comments included:

- Concerned about environmental impact of the development
- His backyard floods; kids have been in water up to their waist
- Will the run-off fill the lake causing a need to dredge more frequently
- Selfish reasons - loss of the wildlife in the area

Hearing no further comment, Mayor Schweikert stated the Public Hearing will be tabled (continued).

Application for a proposed Site Plan Review and Special Use Permit to provide an adult day care center for adults who are frail and/or cognitively impaired to be known as All Generations Adult Day Center. The parcel zoned CB (Community Business) and is on .60 acres. The property is generally located south of Veterans Memorial Parkway, east of Ellerman Road, west of Deloire Drive and north of Savoy Drive. Application submitted by Tiffany Mays.

Mayor Schweikert opened the meeting to a Public Hearing as duly advertised in a legal publication on the above topic.

Hearing no comment, Mayor Schweikert stated the Public Hearing will be closed.

CALENDAR:

Paul Markworth, City Administrator, identified dates of interest on the City calendar including:

- Park Board - Cancelled – February 18, 2015
- Municipal Court – February 24, 2015
- Architectural Review Board – February 24, 2015

- Green Environmental Advisory Committee – February 25, 2015
- Board of Aldermen Work Session – March 2, 2015
- Board of Aldermen Meeting – March 2, 2015

MINUTES: February 2, 2015 Regular Meeting

MOTION TO APPROVE THE MINUTES FROM THE FEBRUARY 2, 2015 REGULAR BOA MEETING AS SUBMITTED.

Alderman Torlina made a motion to waive the reading of the minutes from the February 2, 2015 Regular BOA Meeting and approve same as submitted. The motion was seconded by Alderman Vennard and passed unanimously.

THE MINUTES FROM THE FEBRUARY 2, 2015 REGULAR BOA MEETING STAND APPROVED AS SUBMITTED.

CONSENT AGENDA:

MOTION TO APPROVE AS SUBMITTED:

Alderman Vennard made a motion to approve the Consent Agenda as submitted. The motion was seconded by Alderman Torlina and passed unanimously. The following items were approved:

Warrant dated February 17, 2015 in the amount of $359,693.07
Budget Transfer dated February 17, 2015
December 31, 2014 Balance Sheet and Financial Statement
January 31, 2015 Balance Sheet and Financial Statement

APPOINTMENTS:

Tree Board

Lee C Walters Regular Member Term Ending 12/31/2018

MOTION TO APPROVE APPOINTMENT:

Alderman Potter made a motion to approve the Mayor's appointment. The motion was seconded by Alderman Torlina and passed unanimously. The Mayor's appointment was approved.

PUBLIC COMMENT:

TABLED:

Bill No. 3509 – An ordinance authorizing the subdivision of Lot 9 in the LSL Bayside Estates No. 1 residential subdivision and the creation of two condominium units from the existing duplex structure on the lot, generally located on the south side of Veterans Memorial Parkway approximately 100 feet east of Deloire Drive, the resulting plat to be known as Lake Saint Louis Plat 285.

DISCUSSION:

Steve Schertel, Community Development Director, informed the Board that staff and the applicant have been exchanging emails about this plat. The applicant has asked staff to contact their engineer to discuss a concern about defining these units as condominiums.

Bill No. 3568 – An ordinance amending the zoning map of the City of Lake Saint Louis by changing the zoning district designation from NU (Non-Urban) to SR1(Single Family Residential) on an approximate 19.03 acre tract of land for the purpose of developing a 20 lot single-family residential subdivision, pursuant to a specific preliminary plat; said property being generally located at the terminus of Silver Fern Court in the Villas at Crimson Oaks subdivision in unincorporated St. Charles County.

OLD BUSINESS:

Bill No. 3575 – An ordinance to authorize the Mayor and/or City Administrator to approve Amendment 1 of the Intergovernmental Agreement for the management of The Gateway Green Light Program-St. Charles County.

MOTION TO REMOVE FROM THE AGENDA:

Alderman Potter made a motion to remove Bill No. 3575 from the agenda. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3575 was removed from the agenda.

NEW BUSINESS:

Bill No. 3576 – An ordinance authorizing the Mayor and/or City Administrator to sign a retainer agreement for legal services in connection with a declaratory judgment and injunctive relief against St. Charles County, Missouri and for an election challenge against Rich Chrismer, Director of Elections, St. Charles County Election Authority.

FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 3576. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3576 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 3576. The motion was seconded by Alderman Zito: the poll of the Board being ayes: Zito and Law. Nays, Potter, Vennard and Torlina. Alderman Pellerito was absent. The motion failed.

Bill No. 3577 – An ordinance authorizing City Staff to conduct an auction to dispose of one (1) surplus Public Works' 2002 International 4900 truck for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3577. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3577 was read.

SECOND READING:

Alderman Potter made a motion to authorize the second reading of Bill No. 3577. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3577 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3577 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3383.

Alderman Torlina made a motion to approve the second reading of Bill No. 3577 and pass same by assigning Ordinance No. 3383. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Bill No. 3578 – An ordinance to award a contract to Wehmeyer Farms, Inc. for services related to the Marche Drive Stormwater Improvement Project for the City of Lake Saint Louis, Missouri, and authorize the Mayor and/or City Administrator to execute said contract on behalf of the City.

FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 3578. The motion was seconded by Alderman Zito and passed unanimously. Bill No. 3578 was read.

SECOND READING:

Alderman Potter made a motion to authorize the second reading of Bill No. 3578. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3578 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3578 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3384.

Alderman Potter made a motion to approve the second reading of Bill No. 3578 and pass same by assigning Ordinance No. 3384. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Bill No. 3579 – An ordinance to award a bid to Gerstner Electric, Incorporated for services related to Traffic Signal Battery Backup Installation for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3579. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3579 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3579. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3579 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3579 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3385.

Alderman Torlina made a motion to approve the second reading of Bill No. 3579 and pass same by assigning Ordinance No. 3385. The motion was seconded by Alderman Zito; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Bill No. 3580 – An ordinance to authorize the Mayor, City Administrator, City Clerk and City Staff to perform all acts necessary to acquire the easements for the Ronald Reagan Drive Sidewalk Improvement Project.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3580. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3580 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3580. The motion was seconded by Alderman Zito and passed unanimously. Bill No. 3580 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3580 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3386.

Alderman Torlina made a motion to approve the second reading of Bill No. 3580 and pass same by assigning Ordinance No. 3386. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Bill No. 3581 – An ordinance to authorize the Mayor and/or City Administrator to exercise the third one-year renewal option with Contractors & Municipal Sweeping, Inc. for On-Call Street Sweeping Services for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 3581. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3581 was read.

SECOND READING:

Alderman Vennard made a motion to authorize the second reading of Bill No. 3581. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3581 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3581 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3387.

Alderman Vennard made a motion to approve the second reading of Bill No. 3581 and pass same by assigning Ordinance No. 3387. The motion was seconded by Alderman Zito; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Bill No. 3582 – An ordinance to adopt a budget revision for the City of Lake Saint Louis' budgets for the fiscal year beginning July 1, 2014 and ending June 30, 2015.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3582. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3582 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3582. The motion was seconded by Alderman Zito and passed unanimously. Bill No. 3582 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3582 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3388.

Alderman Torlina made a motion to approve the second reading of Bill No. 3582 and pass same by assigning Ordinance No. 3388. The motion was seconded by Alderman Zito; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

GENERAL DISCUSSION:

The Board held a general discussion about Bill No. 3576. Comments included:

- Alderman Law asked why there was not a second reading of Bill No. 3576. Mayor Schweikert responded, "No one made a motion." Alderman Law said she moved too fast; he would like to return to the Bill and consider a second reading.
- Alderman Vennard said she objects to a second reading at this meeting.
- Alderman Potter said the full Board should be present because it is a controversial issue.
- Alderman Law said he would like to make a motion to read the Bill a second time. Alderman Zito seconded the motion.
- Mayor Schweikert noted that Alderman Zito has objected to a second reading

of bills in one meeting and the Board, per the agreed upon policy, honored his request.

- Mayor Schweikert asked the Board to return to Bill No. 3576. She requested a roll call vote on the motion for a second reading.

Resolution No. 02-17-15 (1) – A resolution authorizing the Lake Saint Louis Parks Department to accept a donation from Sports Authority.

Mayor Schweikert read Resolution No. 02-17-15 (1).

MOTION TO APPROVE RESOLUTION NO. 02-17-15 (1):

Alderman Vennard made a motion to approve Resolution No. 02-17-15 (1). The motion was seconded by Alderman Torlina; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Resolution No. 02-17-15 (2) – A resolution granting a Special Use Permit to Tiffany Mays, allowing for the renovation of an existing building and grounds at 11210 Veterans Memorial Parkway and the operation on that property of an adult day care facility to be known as All Generations Adult Day Care.

Mayor Schweikert read Resolution No. 02-17-15 (2).

MOTION TO APPROVE RESOLUTION NO. 02-17-15 (2):

Alderman Torlina made a motion to approve Resolution No. 02-17-15 (2). The motion was seconded by Alderman Law; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

Resolution No. 02-17-15 (3) – A resolution granting a Special Use Permit to Krish Gopalakrishnan, allowing for the finishing and occupancy of vacant space in an existing building at 6893 Lake Saint Louis Boulevard, and use of parking lot serving that site, and allowing for the operation on that property of a children's party venue to be known as BounceABoo.

Mayor Schweikert read Resolution No. 02-17-15 (3).

MOTION TO APPROVE RESOLUTION NO. 02-17-15 (3):

Alderman Torlina made a motion to approve Resolution No. 02-17-15 (3). The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Zito, Potter, Vennard, Law and Torlina. Nays, none. Alderman Pellerito was absent. The motion passed.

BOARD COMMENTS:

Alderman Torlina complemented the Public Works Department on the snow removal. They did a good job.

Alderman Vennard echoed his comments and thanked Public Works for the street light at Autumn and Feise. Residents are very happy.

Alderman Law thanked Alderman Torlina for his suggestion of establishing a First Responders' Appreciation Day.

Alderman Law asked the Board to reconsider their support of Bill No. 3576. The Missouri Supreme Court will provide guidance on red-light cameras, and there are bills in the House on the same subject that will clear up the issues with red-light cameras. Don't spend money on this lawsuit.

Alderman Potter said the lawsuit is not about red-light cameras. Alderman Law replied, "It's about revenue." Alderman Potter disagreed - it's about the Charter interfering with police services.

Alderman Law said if we poll residents, the majority do not want red-light cameras and don't want tax dollars spent on this lawsuit. Lake Saint Louis won't benefit from this lawsuit. When has the County overstepped its boundaries?

Alderman Potter answered, "It interferes with cities' authority."

Alderman Vennard concurred with Alderman Potter. The County has overstepped its boundaries. She doesn't have a problem with red-light cameras, but this is not about red-light cameras.

Alderman Law disagreed that this is about police powers. Police have nothing to do with red-light cameras; those decisions are made by the Mayor and Board. Lake Saint Louis should wait for a different opportunity and respond at that time if the County attempts to interfere with the cities' authority.

Mayor Schweikert thanked Chief Force for his recent article in *Newstime* explaining why traffic tickets are issued and why they focus on certain areas.

Mayor Schweikert thanked everyone involved for the support of the Polar Bear Plunge. She added she was happy Alderman Law joined her. She also appreciated all of the police, fire and other volunteers and the Lake Saint Louis Community Association for their help. They put on a great event!

Mayor Schweikert attended the Missouri Municipal League Legislative Conference. It was a great opportunity to sit down with our Representatives and officials from St. Charles County to discuss issues of mutual concern.

Mayor Schweikert thanked residents in the audience for attending the meeting.

STAFF COMMENTS:

Mike Force, Police Chief, said thanks for the participants and supporters of the Polar Bear Plunge. The anticipated funds raised were $112,000 to $115,000.

Derek Koestel, Public Works Director, thanked the Aldermen for their kind comments and said he will pass them on to his crews.

GENERAL DISCUSSION:

ADJOURNMENT:

There being no further business to come before the Board in regular session, the meeting was, on motion duly made, seconded and unanimously voted on, adjourned.

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Donna F. Daniel, City Clerk