

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

The Board of Aldermen for the City of Lake Saint Louis, Missouri met in regular session on Monday, August 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 Mike Potter, Ward II; Gary Torlina, Ward I; Gary Turner, Ward I; John Pellerito, Ward III; Karen Vennard, Ward II; and Jason Law, Ward III. Also present were: Paul Markworth, City Administrator; Donna Daniel, City Clerk; Matthew Reh, City Attorney; Steve Schertel, Community Development Director; Renee Roettger, Finance Director; Eric Serman, Assistant City Administrator; Derek Koestel, Public Works Director, and Mike Force, Police Chief.

INVOCATION: Representative from the Wentzville United Methodist Church, offered the invocation.

ANNOUNCEMENTS:

COMMITTEE REPORTS:

Planning and Zoning Commission – Alderman Torlina gave a report on the August 6, 2015 meeting.

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

PUBLIC HEARINGS:

Application for a proposed Preliminary Development Plan and Special Use Permit for a 22-unit apartment building to be known as Prospect Place Apartments. The parcel is 3.909 acres and zoned PD (Planned Development). The property is located south of Prospect Road, east of Civic Center Drive, west of Freymuth Road, and north of I-64. Application submitted by DeVault Lands, L.L.C.

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

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Marvin Glore, Bax Engineering, representing the applicant DeVault Lands, L.L.C., gave a presentation and offered to answer questions about the proposed Preliminary Development Plan and Special Use Permit for a 22-unit apartment building to be known as Prospect Place Apartments.

Kathy Handing, 221 Prominence Lane, expressed her concern with the removal of the tree buffer between the apartments and her residence. Ms. Handing asked the City if a fence could be erected in front or behind the tree line separating the properties. Mr. Glore replied they can re-work their plan to plant more trees on the development site in an effort to try to maintain more trees in the area separating the properties.

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

Application for a proposed Amended Preliminary Development Plan and Special Use Permit to construct two (2) new eight (8) unit buildings with associated improvements at The Waterways of Lake Saint Louis. The total acreage of the site is 69.08 acres and zoned PD (Planned Development). The property is located south of Lake Saint Louis Boulevard, east of Henke Road, west of Hanley Road, and north of Feise Road. Application submitted by Scott Brothers Investment Corporation.

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

Doug Tiemann, Picket Ray and Silver Inc., representing the applicant, Scott Brothers Investment Corporation, gave a presentation and offered to answer questions about the proposed Amended Preliminary Development Plan and Special Use Permit to construct two (2) new eight (8)-unit buildings with associated improvements at The Waterways of Lake Saint Louis.

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

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Application for a proposed Revised Preliminary Subdivision Plat and Final Subdivision Plat to create a twenty (20) lot single-family residential development to be known as Oak Bluff Estates. The property is on 19.03 acres and zoned SR1 (Single-Family Residential, 15,000 square foot minimum). The property 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.

Gabe Dubois, THD Design Group, representing the applicant, Jeremy Malensky, Dutchman Homes, LLC, gave a presentation and offered to answer questions about the proposed Revised Preliminary Subdivision Plat and Final Subdivision Plat to create a 20-lot single-family residential development to be known as Oak Bluff Estates.

Hearing no further 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 – August 18, 2015
- Green Environmental Advisory Committee – August 26, 2015
- Planning and Zoning Commission Meeting – September 3, 2015
- City Hall closed on Labor Day – September 7, 2015
- Board of Aldermen Work Session – Tuesday, September 8, 2015
- Board of Aldermen Meeting – Tuesday, September 8, 2015

MINUTES: August 3, 2015 Regular Meeting

MOTION TO APPROVE THE MINUTES FROM THE AUGUST 3, 2015 REGULAR BOA MEETING AS SUBMITTED:

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Alderman Turner made a motion to waive the reading of the minutes from the August 3, 2015 Regular BOA Meeting as submitted. The motion was seconded by Alderman Pellerito and passed unanimously.

THE MINUTES FROM THE AUGUST 3, 2015 REGULAR BOA MEETING STAND APPROVED AS SUBMITTED.

CONSENT AGENDA:

MOTION TO APPROVE AS SUBMITTED:

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

Warrant dated August 17, 2015 in the amount of \$381,247.19
Liquor Licenses New:

- **Ambassadors Lake Saint Louis** – Add wine to previously approved one (1) day “Picnic License”
- **Max and Erma’s** - Caterer’s License for Summer Concert Series: Add new dates September 6, 10, and 17, 2015 to previously approved Special Event Permit

APPOINTMENTS:

Mayor Schweikert recommended the following appointments:

Image Advisory Committee

Gary Torlina	Term ending 12/31/2016
Wayne Walkenhorst	Term ending 12/31/2017
Betty Asher	Term ending 12/31/2017
Dee Davenport	Term ending 12/31/2016

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Tommie Morris		Term ending 12/31/2016
Frank McLaughlin		Term ending 12/31/2017
Gayle Cattau		Term ending 12/31/2017

Park Board

Wendy Kimmel		Term ending 12/31/2015
Robert Scott Swindler		Term ending 12/31/2015

Tree Board

Ken Spoden		Term ending 12/31/2015
Joel Lutfiyya	Alternate	Term ending 12/31/2016

Board of Adjustment

Dominique Stoddard	Alternate	Term ending 12/31/2017
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MOTION TO APPROVE APPOINTMENTS:

Alderman Potter made a motion to approve the Mayor's appointments in their entirety. The motion was seconded by Alderman Pellerito and passed unanimously. The Mayor's appointments were approved in their entirety.

Alderman Torlina thanked Mayor Schweikert for the work she put into finding appointees for various vacancies on City committees.

PUBLIC COMMENT:

Doug Tiemann, Picket Ray and Silver Inc., informed the Board that Lutheran Senior Services' application will be on the Planning and Zoning Commission's September 3rd agenda.

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Don Cooley, 1405 Tucks Inn Court, complained about City staff's response to his complaint about water saturating part of his yard and driveway. Mr. Cooley said this problem began after the City replaced some of the concrete slabs on his street. Mr. Cooley distributed photos depicting the condition of his property and e-mails between himself and City officials. He reiterated his belief that the City street repair work created the problem.

The Board directed the Public Works Director to look into this matter to see if there is any action that can be taken that would help resolve the problem.

TABLED:

OLD BUSINESS:

NEW BUSINESS:

Bill No. 3638 – An ordinance amending the Lake Saint Louis Municipal Code, Title I: Government Code, Chapter 130: Municipal Court, Article I: General Provisions, adding a new Section 130.111 Administrative Warrant Authority; Procedures.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3638. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3638 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3638. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3638 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3638 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3443.

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Alderman Torlina made a motion to approve the second reading of Bill No. 3638 and pass same by assigning Ordinance No. 3443. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 3639 – An ordinance to adopt a budget revision for the City of Lake Saint Louis' budgets for the fiscal year beginning July 1, 2015 and ending June 30, 2016.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 3639. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3639 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 3639. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3639 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3639 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3444.

Alderman Turner made a motion to approve the second reading of Bill No. 3639 and pass same by assigning Ordinance No. 3444. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 3640 – An ordinance amending the previously approved Preliminary Development Plan for the Waterways of Lake Saint Louis Apartment Complex, said complex being situated on approximately 69.12 acres, more or less, located east of South Henke Road and south of Lake Saint Louis Boulevard within the City of Lake Saint Louis, Missouri, and granting a Special Use Permit to Scott Brothers Investment Corporation, LLC, the petitioner, for the construction, occupancy and operation of two (2) additional buildings containing 16 dwelling units on the property.

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FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3640. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3640 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3640. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3640 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3640 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3445.

Alderman Torlina made a motion to approve the second reading of Bill No. 3640 and pass same by assigning Ordinance No. 3445. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 3641 – An ordinance adopting a Preliminary Development Plan for an approximate 3.91 acre tract of land currently having a zoning district designation of PD (Planned Development), said property being located south of Prospect Road, west of Freymuth Road and east of Civic Center Drive, within the City of Lake Saint Louis, and granting a Special Use Permit to DeVault Lands, LLC for the construction, occupancy and operation of a twenty-two (22) unit apartment complex on the property.

FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 3641. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 3641 was read.

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SECOND READING:

Alderman Vennard made a motion to authorize the second reading of Bill No. 3641. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3641 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3641 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3446.

Alderman Vennard made a motion to approve the second reading of Bill No. 3641 and pass same by assigning Ordinance No. 3446. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 3642 – An ordinance approving a revised Preliminary Plat calling for the subdivision of a vacant property consisting of approximately 19.03 acres of land within the City of Lake Saint Louis; said property being located at the terminus of Silver Fern Court in the Villas at Crimson Oaks subdivision located in unincorporated St. Charles County.

FIRST READING:

Alderman Pellerito made a motion to authorize the first reading of Bill No. 3642. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3642 was read.

DISCUSSION:

Alderman Turner thanked Mike Potter for asking the developer to meet with the residents adjacent to their proposed development, but there was little incentive to compromise once the development was approved. Alderman Turner said he believes the proposed development did not have appropriate setbacks and he would not have supported the development if he was on the Board and he will not support the amendment for the same reason.

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Alderman Torlina concurred with the comments made by Alderman Turner and said he will not support the amendment either.

SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 3642. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3642 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3642 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3447.

Alderman Pellerito made a motion to approve the second reading of Bill No. 3642 and pass same by assigning Ordinance No. 3447. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Pellerito, Potter, Vennard and Law. Nays, Turner and Torlina. The motion passed.

Bill No. 3643 – An ordinance authorizing the Mayor and/or City Administrator to execute an Escrow Agreement with Panda Express, Inc. guaranteeing completion of grading, installation and maintenance of erosion control measures, and installation of site improvements related to the construction of a restaurant facility to be located at 6200 Ronald Reagan Drive in the City of Lake Saint Louis.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 3643. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3643 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 3643. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3643 was read.

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MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3643 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3448.

Alderman Turner made a motion to approve the second reading of Bill No. 3643 and pass same by assigning Ordinance No. 3448. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 3644 – An ordinance authorizing the Mayor and/or City Administrator to execute an Escrow Agreement with SWE Lake STL, LLC and accept a supporting Irrevocable Standby Letter of Credit guaranteeing completion of grading, installation of site improvements and installation and maintenance of erosion control measures at the site of a Sherwin-Williams retail store to be located at 6425 Ronald Reagan Drive in the City of Lake Saint Louis.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3644. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3644 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3644. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3644 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3644 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3449.

Alderman Torlina made a motion to approve the second reading of Bill No. 3644 and pass same by assigning Ordinance No. 3449. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

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BOARD COMMENTS:

Alderman Potter restated his hope that the adjacent residential property owners and the developer of Oak Bluff Estates will take the opportunity to talk and be able to reach a compromise.

Alderman Pellerito expressed concern that the elected officials are on a “slippery slope” when we entertain a developer’s request for exemptions from the Municipal Code. Example: McBride developer, earlier this evening, asking for exemptions that were granted for Mason Glen Subdivision. Board members are here to represent their constituents and need to be careful what they agree to do.

Alderman Turner commented that we need more rooftops to attract commercial development, which will allow us to maintain the quality of our housing stock.

Mayor Schweikert said she and Alderman Torlina attended a meeting with residents of Parks at Woodlake to discuss the maintenance of their subdivision’s detention basin.

Mayor Schweikert thanked Derek Koestel, Public Works Director, for his article in *Newstime* about the Civic Center Drive Project.

Mayor Schweikert announced the August 26th Town Hall Meeting with Senator Onder and Representative Hill was cancelled and she anticipates it will be rescheduled in October or November.

Mayor Schweikert thanked residents present for attending the meeting. The Board appreciates their attendance and participation.

STAFF COMMENTS:

Mr. Koestel stated the Civic Center Drive Project is moving along; however, there is a small glitch – the entrance to the Moorings Estates will have to be torn out and re-poured.

EXECUTIVE SESSION:

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GENERAL DISCUSSION:

The Board held a general discussion on the following topics:

- Requiring Christian Environmental Services to provide a plan to address their customer service issues
- Paul Markworth, City Administrator, was directed to contact Dan Wilbanks to learn his interest in being nominated to serve as the City's representative on the County Road Board

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.

Donna F. Daniel, City Clerk