

**BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 21, 2015
(JOURNAL AND MINUTES)**

The Board of Aldermen for the City of Lake Saint Louis, Missouri met in regular session on Monday, December 21, 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; John Pellerito, Ward III; Jason Law, Ward III; Gary Torlina, Ward I; Karen Vennard, Ward II; and Gary Turner, Ward I. Also present were: Paul Markworth, City Administrator, Donna Daniel, City Clerk; Matthew Reh, City Attorney; Steve Schertel, Community Development Director; Renee Roettger, Finance Director; Derek Koestel, Public Works Director; Mike Force, Police Chief; and Eric Serman, Assistant City Administrator.

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

ANNOUNCEMENTS:

COMMITTEE REPORTS:

Administrative/Finance/Public Works Committee – Alderman Potter gave a report on the December 21, 2015 meeting.

Development Review Board – Mayor Schweikert gave a report on the meeting.

Green Environmental Advisory Committee – Aldermen Pellerito gave a report on the December 16, 2015 meeting.

City Image Advisory Committee – Alderman Torlina gave a report on the December 18, 2015 meeting.

Board of Adjustment – Alderman Turner gave a report on the meeting.

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PUBLIC HEARINGS:

Application for a proposed Amendment to Municipal Code Section 430.300 F. and/or other appropriate sections of the Code allowing full color electronic message boards in the City's HC (Highway Commercial) zoning district and/or CB (Community Business) zoning district under certain prescribed circumstances and pursuant to specific limiting regulations. Application submitted by City of Lake Saint Louis.

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 continued.

CALENDAR:

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

- City Hall will be closed for the Holidays – December 24 & 25, 2015 and January 1, 2016
- Board of Aldermen Work Session – January 4, 2016
- Board of Aldermen Meeting – January 4, 2016

MINUTES: December 7, 2015 Regular Meeting

MOTION TO APPROVE THE MINUTES FROM THE DECEMBER 7, 2015 REGULAR BOA MEETING AS SUBMITTED:

Alderman Turner made a motion to waive the reading of the minutes from the December 7, 2015 Regular BOA Meeting and approve same as submitted. The motion was seconded by Alderman Vennard and passed unanimously.

THE MINUTES FROM THE DECEMBER 7, 2015 REGULAR BOA MEETING STAND APPROVED AS SUBMITTED.

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CONSENT AGENDA:

MOTION TO APPROVE AS SUBMITTED:

Alderman Pellerito 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 December 21, 2015 in the amount of \$583,339.38
November 30, 2015 Balance Sheet and Financial Statement
Budget Transfers dated December 21, 2015
Amended Liquor License – Sushi Sen adding Sunday Sales

APPOINTMENTS:

PUBLIC COMMENT:

Dan Shreve, 738 Harrier Court, thanked staff and Jeremy Roth, McBride Homes, for working together to address some of the concerns expressed by the residents of Heritage of Hawk Ridge.

TABLED:

OLD BUSINESS:

Bill No. 3686 – An ordinance amending the Municipal Code of the City of Lake Saint Louis, Title V: Building Code, Chapter 511: Right-of-Way Management, Article II. Permit Requirements, Section 511.040: Permits Required, and Article IV. Miscellaneous, Section 511.220: Bonding.

SECOND READING:

Alderman Vennard made a motion to authorize the second reading of Bill No. 3686. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3686 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3686 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3493.

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Alderman Vennard made a motion to approve the second reading of Bill No. 3686 and pass same by assigning Ordinance No. 3493. The motion was seconded by Alderman Turner; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3688 – An ordinance to authorize the Mayor and/or City Administrator to enter into an amended agreement with Centurylink for services related to the emergency communications radio system infrastructure and connectivity with St. Charles County.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3688. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3688 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3688 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3494.

Alderman Torlina made a motion to approve the second reading of Bill No. 3688 and pass same by assigning Ordinance No. 3494. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3690 – An ordinance approving a Pre-Annexation Agreement to annex certain territory as a voluntary annexation, in accordance with Section 71.014 of the RSMO, as amended, of property owned by Two Rivers Church (the “fee owner”) and McBride Duello, LLC, a Missouri limited liability company (“developer”).

MOTION TO AMEND:

Alderman Pellerito made a motion to accept the amendments in the proposed amended text with three (3) modifications in Sections (e), 10 and 13 (deletions shown in strikethrough, additions shown in bold, and modifications to the proposed amendment shown in underlined bold italic) as follows:

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- (a) Subdivision ~~Subdivision of the Property shall occur substantially in accordance with the preliminary plat attached hereto as Exhibit B.~~ The City agrees to consider subdividing the Property in substantial accordance with the Preliminary Plat attached hereto as Exhibit B.
- (e) Tree Preservation. The Owner agrees that all requirements relating to tree preservation and/or replanting of trees shall be applicable with respect to the property. **A six foot wide non disturbance conservation easement zone will be adjacent to the Heritage at Hawk Ridge subdivision property. Landmark trees located along the eastern boundary of the property that do not conflict with proposed cuts, fills, building structures or utilities will not be removed unless the City approves their removal. Owner agrees to plant pine trees with a minimum of six feet (6') height on lots abutting the Heritage at Hawk Ridge subdivision but owner will not be required to plant more than two trees per lot. The City's arborist will approve the pine tree spacing. The Owner will maintain the pine trees on individual lots until they are sold.**
6. City Amenities. The Parties acknowledge that the City parkland adjacent to the subdivision is a desirable amenity to the subdivision. As such, the Owner shall dedicate to the City land and a trail easement as shown on the Preliminary Plat. The Owner shall also make the necessary improvements for both public access and subdivision access to the City parkland via the proposed public streets as shown on the Preliminary Plat. During the first phase of construction, the Owner shall construct a public parking lot as shown on the Preliminary Plat to serve as a trailhead for the City parkland. The public parking lot shall accommodate at least fifteen (15) spaces for parked cars. The Owner shall deed the land to the City on which the public parking lot and a proposed restroom facility are to be built as shown on the Preliminary Plat. **The City will be responsible for constructing the restroom facility.** The Owner will also make a \$10,000 payment to the City at the time the Record Plat is recorded. That money shall be used by the City to construct a restroom facility adjacent to the parking lot.

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9. Finished Grades. Grades outside the right-of-way will be 3:1. The City's Engineering and Plan Preparation Manual permits a design exemption and if supported and accompanied by published engineering guidelines, technical papers, standards, etc. a greater slope may be granted after City staff review and then concurrence by the Board of Aldermen. **Finished grades in the right-of-way shall not be in excess of 3:1. Grades of 3:1 or more on common ground will be covered in a straw mat.**

10. Driveway Width. The City and the Owner have indicated a willingness to work on solutions to the problem created from snow plowing operations. The agreed solution is to create easements within the cul-de-sac reserved for crews to push snow to. These proposed easements are shown on the Preliminary Plat. The driveway width as presented on the Preliminary Plat is acceptable to the City. **The driveway width may exceed 43% lot frontage provided snow plow easements in the cul-de-sacs are acceptable to the City.**

11. **Basements. All homes will be built with full basements.**

12. **Minimum House Size. The minimum square feet size for the ranch style house is 1,100 square feet and the minimum square feet size for the two story style is 1,500 square feet.**

13. **The City Building Code in force at time of construction will apply.**

Exhibit D. Aluminum Post Fence specification

The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3690 was amended.

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SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 3690 as amended. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3690 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3690 AND ADOPT SAME AS AMENDED BY ASSIGNING ORDINANCE NO. 3495.

Alderman Pellerito made a motion to approve the second reading of Bill No. 3690 as amended and pass same by assigning Ordinance No. 3495. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Potter, Vennard, Law, Turner, ~~Torlina~~ and Pellerito. ~~Nays, none.~~ The motion passed. *Nays, Torlina.*

NEW BUSINESS:

*Amended January 19, 2016
Donna St. Daniel*

Bill No. 3691 – An ordinance authorizing the acceptance by the City of Lake Saint Louis of streets and street rights-of-way and the stormwater collection improvements in the street rights-of-way in the Waterford Villas subdivision, the plats for which subdivision having been recorded in the St. Charles County Recorder of Deeds office.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 3691. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3691 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 3691. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3691 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3691 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3496.

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Alderman Turner made a motion to approve the second reading of Bill No. 3691 and pass same by assigning Ordinance No. 3496. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3692 – An ordinance to authorize the purchase of salt from the City of O’Fallon under the St. Charles County Cooperative Purchasing Agreement, and authorize the delivery of the salt from Dan Althoff Trucking, Inc. for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3692. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3692 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3692. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3692 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3692 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3497.

Alderman Torlina made a motion to approve the second reading of Bill No. 3692 and pass same by assigning Ordinance No. 3497. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3693 – An ordinance to authorize the Mayor and/or City Administrator to execute a STP-Urban Program Agreement with the Missouri Highways and Transportation Commission to fund a transportation related project for the Lake Saint Louis Boulevard Improvement Phase 1 Project for the City of Lake Saint Louis, Missouri.

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FIRST READING:

Alderman Law made a motion to authorize the first reading of Bill No. 3693. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3693 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 3693. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 3693 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3693 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3498.

Alderman Law made a motion to approve the second reading of Bill No. 3693 and pass same by assigning Ordinance No. 3498. The motion was seconded by Alderman Turner; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3694 – An ordinance to reaffirm the purchase of a new telephone system and five-year maintenance plan from CenturyLink.

FIRST READING:

Alderman Pellerito made a motion to authorize the first reading of Bill No. 3694. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3694 was read.

SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 3694. The motion was seconded by Alderman Vennard and passed unanimously. Bill No. 3694 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3694 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3499.

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Alderman Pellerito made a motion to approve the second reading of Bill No. 3694 and pass same by assigning Ordinance No. 3499. The motion was seconded by Alderman Turner; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3695 – An ordinance to authorize the Mayor and/or City Administrator to enter into a License Agreement with the Missouri Highways and Transportation Commission to erect and maintain a City monument.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 3695. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3695 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 3695. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3695 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3695 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3500.

Alderman Torlina made a motion to approve the second reading of Bill No. 3695 and pass same by assigning Ordinance No. 3500. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3696 – An ordinance to authorize the Mayor and/or City Administrator to enter into a one-year preventative maintenance and ems monitoring agreement, with the option for three (3) one-year renewals, with Deka Service, for the Civic Center and Public Works' HVAC Mechanical Systems.

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FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 3696. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3696 was read.

SECOND READING:

Alderman Vennard made a motion to authorize the second reading of Bill No. 3696. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3696 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3696 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3501.

Alderman Vennard made a motion to approve the second reading of Bill No. 3696 and pass same by assigning Ordinance No. 3501. The motion was seconded by Alderman Potter; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3697 – An ordinance to authorize the Mayor, City Administrator, City Clerk and City Staff to acquire easements for Waterford Villas Drive and Waterford Villas Court.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 3697. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3697 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 3697. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 3697 was read.

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MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3697 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3502.

Alderman Turner made a motion to approve the second reading of Bill No. 3697 and pass same by assigning Ordinance No. 3502. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Bill No. 3698 – 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 Law made a motion to authorize the first reading of Bill No. 3698. The motion was seconded by Alderman Potter and passed unanimously. Bill No. 3698 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 3698. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 3698 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 3698 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 3503.

Alderman Law made a motion to approve the second reading of Bill No. 3698 and pass same by assigning Ordinance No. 3503. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

Resolution No. 12-21-15 (1) – A resolution reaffirming the submission of a grant application requesting funds from the Missouri Police Chief Charitable Foundation for a License Plate Reader (LPR) Grant on behalf of the City of Lake Saint Louis, Missouri.

Mayor Schweikert read Resolution No. 12-21-15 (1).

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MOTION TO APPROVE RESOLUTION NO. 12-21-15 (1):

Alderman Potter made a motion to approve Resolution No. 12-21-15 (1). The motion was seconded by Alderman Turner; the poll of the Board being ayes: Potter, Vennard, Law, Turner, Torlina and Pellerito. Nays, none. The motion passed.

BOARD COMMENTS:

Alderman Law thanked staff for an excellent year and wished everyone a Happy Holiday.

Alderman Turner wished Paul Markworth, City Administrator, staff and residents a Merry Christmas.

Alderman Vennard expressed her concern that someone would mislead someone in the market to purchase property by selling them something that doesn't belong to them. She said it's a good project that provides access to parkland and a trailhead. Alderman Vennard thanked staff and wished everyone a Merry Christmas.

Alderman Pellerito announced that a City employee, Larry Swinger, is an old friend of his he discovered when they were talking during the City holiday luncheon. Mr. Swinger told Alderman Pellerito that the City employees were the best group of people with whom he had ever worked.

Alderman Pellerito said he appreciated McBride Homes working with staff and City residents. He is happy we could all compromise. The agreement is good for City residents and McBride Homes. Alderman Pellerito thanked staff.

Alderman Torlina said Merry Christmas and Happy New Year.

Alderman Potter said gaining access to the parkland is the fulfillment of a dream. This development will allow the City to have access to one of the largest wilderness areas in St. Charles County. Alderman Potter complemented the Green Environmental Advisory Committee for all of its hard work. He wished everyone a good Christmas.

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Mayor Schweikert thanked staff for all of the work with our residents and the developer in an attempt to address residents' concerns. She is happy we were able to reach a consensus.

Mayor Schweikert noted residents are starting to get involved in the discussion about consolidating the Lake Saint Louis and Wentzville Fire Departments.

Mayor Schweikert thanked City staff and said she appreciates the Board members and wished everyone a Merry Christmas, Happy Holidays and a good New Year.

STAFF COMMENTS:

Mr. Markworth noted, in regard to the involuntary annexation, they will close on the property in March. Mr. Markworth noted further that Chief Force has an article in the Police Chief Magazine.

Mike Force, Police Chief, said Merry Christmas and Happy New Year!

Steve Schertel, Community Development Director, wished everyone a good holiday.

Matthew Reh, City Attorney, said, "Happy Holidays!"

Donna Daniel, City Clerk, dittoed the happy holidays.

EXECUTIVE SESSION:

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.

Donna F. Daniel, City Clerk