

**CITY OF ELLISVILLE
COUNCIL MEETING**

MARCH 20, 2019

Mayor Roemerman opened this Regular Meeting at 7:00 p.m. In attendance were Council Members McGrath, Chismarich, Baker, Reel, Duffy, and Pool.

Also present were: City Manager Schwer, City Atty. Restovich, City Planner Hood, Chief Steve Lewis, and City Clerk Dohack.

All those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Roemerman moved to approve the evening's agenda, seconded by Council Member Duffy. The votes were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE".

APPROVAL OF MINUTES

Mayor Roemerman moved to approve the minutes from the February 20, 2019 Regular Council Meeting. The motion was seconded by Council Member Reel. The votes were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "ABSTAIN", Chismarich "AYE", Baker "AYE", and Reel "AYE".

PUBLIC COMMENTS

Rich DuPuis, 141 Covert Lane, voiced his concern for the lighting at the Day Care Center which is under construction on Manchester at Covert and stated they are shining into the front windows of his neighbors' homes.

Larry Schwartz, 346 Cherry Hill Drive, stated his appreciation for the VIP Program with the Police Department and noted that all should be proud of the Ellisville Police Officers. Mr. Schwartz commented that he volunteers in the office and noticed that after regular business hours there is no one in the station, if there would be a need.

Mayor Roemerman moved to suspend rules to allow for open discussion. The motion was seconded by Council Member Baker. The votes were all "AYES".

Mayor Roemerman asked Chief Lewis to respond to Mr. Schwartz's comment. Chief Lewis noted that it would not be fiscally responsible to staff the building 24-7 and stated that if anyone comes to the building an Officer responds quickly to all calls.

Mayor Roemerman explained the vote to suspend the rules for this discussion and thanked Mr. Schwarz for his question.

The meeting was called back to order.

RECIPT/FILING PLANNING AND ZONING RECOMMENDATIONS/REPORTS

- A. Receipt and filing of Planning and Zoning Commission’s favorable recommendation dated March 14, 2019 relative to the petition of Lemon Building, LLC for a change in zoning to the C-3 Commercial Zoning District for the property known and numbered as 54 Henry Avenue, located within the “C-1” Open Space Commercial Zoning District of the City of Ellisville, Missouri.

Mayor Roerman moved to receive and file of the following Planning and Zoning Commission’s recommendations pertaining to 54 Henry Avenue. All were in favor of the motion.

- B. Receipt and filing of Planning and Zoning Commission’s negative recommendation dated March 14, 2019 relative to the petition of McBride Berra, LLC for a change in zoning to the R-2 Planned Residential Zoning District for the properties known and numbered at 1040, 1048 and 1058 Lemar Drive, and 28, 34, 40, 44, 50, 56, 60, 68 and 100 Mar-El Court, and for approval of associated planned residential development and site plan pertaining to the properties known and numbered as 1040, 1048 and 1058 Lemar Drive, and 28, 34, 40, 44, 50, 56, 60, 68 and 100 Mar-El Court, located within the R-1 Single Family Residential Zoning District of the City of Ellisville, Missouri and 95 Ranchmoor Trail and 16 Mar-El Court, located within the “R-2” Planned Residential Zoning District within the City of Ellisville, Missouri.

Mayor Roerman moved to receive and file of the following Planning and Zoning Commission’s recommendations pertaining to the petition of McBride Berra LLC. All were in favor of the motion.

PUBLIC HEARING

54 Henry Avenue d/b/a USA Sports Connection (Lemon Building LLC), rezoning to C-3

Mayor Roerman opened the public hearing regarding the petition of James Lemon, President-Owner/Lemon Building, LLC (d/b/a USA Sports Connection) for rezoning of the property known and numbered as 54 Henry Avenue, from C-1 Commercial Zoning District to C-3 Commercial Zoning District. City Attorney Restovich entered the following exhibit for purposes of this hearing: Exhibit 1, Certified Copy of the Municipal Code, Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on February 25, 2019; Exhibit 5, Public Posting of Hearing Notice on February 26, 2019; Exhibit 6, Letter mailed to abutting residents within 185 feet dated February 25, 2019; Exhibit 7, Applicant’s Cover Sheet dated February 5, 2019; Exhibit 8, Application for Rezoning/Text Amendment; Exhibit 9, Application for Site Plan Review, with attached plans; Exhibit 10, Property Legal Description; Exhibit 11, Letter from Joseph A McGowan to City Council dated February 20, 2019; Exhibit 12, City Ordinance #2089; Exhibit 13, Email from Ed Gershenson dated March 5, 2019; Exhibit 14, City Planner’s memo dated March 6, 2019; and Exhibit 15, City Planner’s memo dated March 15, 2019.

Tim Lemon, VP of Sales for USA Sports Connection, Joe McGowan with Cochran Engineering, and City Planner Hood were sworn in. Mr. McGowan began the presentation by describing the proposed additional storage building that would be built behind the existing building and noting that the request for a waiver of the required parking from 31 spaces to 16 space. Mr. McGowan also noted that no fence was planned between the property and the church’s adjacent property, but evergreen plantings were planned between the properties.

Tim Lemon then spoke on the specifics of the USA Sport Connection business, noting the reason for the additional storage is to allow for an expansion of business. Mr. Lemon stated that if approved, construction would begin in the Fall of 2019.

Council Members discussed the reduction of the parking spaces.

Mayor Roemerman polled the Ellisville residents and property owners regarding the proposed expansion as presented: 8 residents were in favor and no residents were in opposition.

Mayor Roemerman closed the public hearing.

Green Arbor Subdivision (McBride Berra LLC)

Mayor Roemerman noted that at the request of the petitioner the public hearing for the proposed Green Arbor Subdivision will be continued to May 1, 2019.

LEGISLATION

Ord. #3410, 54 Henry Avenue (USA Sports Connection, rezoning to C-3)

Council Member Duffy introduced Bill #3629, AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTY LOCATED AT 54 HENRY AVENUE FROM THE "C-1" OPEN SPACE COMMERCIAL ZONING DISTRICT TO THE "C-3" COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI.

Discussion took place pertaining to the parking spaces required. Council Member Pool moved to amend Bill #3629 to allow up to 24 parking spaces. The motion to amend was seconded by Council Member Duffy. The votes were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE".

Mayor Roemerman moved to amend Bill #3629 to allow the landscaped buffer instead of the fence adjacent to the church property. The motion was seconded by Council Member Baker. The votes were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE".

Council Member Duffy moved for consideration and perfection of Bill #3629, as amended, seconded by Council Member Baker. The votes on the first reading were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE". Council Member Duffy introduced Bill #3629, as amended, for final passage, AN ORDINANCE AUTHORIZING A CHANGE IN ZONING OF THE PROPERTY LOCATED AT 54 HENRY AVENUE FROM THE "C-1" OPEN SPACE COMMERCIAL ZONING DISTRICT TO THE "C-3" COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for final passage of Bill #3629, as amended, seconded by Council Member Baker. The votes on the second reading were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE". Bill #3629 becomes ORDINANCE #3410.

Res #03-20-19, Destruction of Certain Municipal Court Records

Council Member Pool introduced Resolution #03-20-19 for consideration and perfection, A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN MUNICIPAL COURT RECORDS. Council Member Pool moved for consideration and perfection of Resolution #03-20-19, seconded by Council Member Duffy. The votes for approval were: Duffy "AYE", Pool "AYE", Roemerman "AYE", McGrath "AYE", Chismarich "AYE", Baker "AYE", and Reel "AYE". Resolution #03-20-19 was approved.

PUBLIC COMMENTS II

There were no comments.

MAYOR/COUNCIL BUSINESS/REPORTS

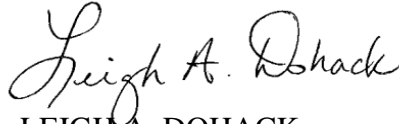
There were no reports.

ACTIVE COMMITTEE STATUS/UDPATES

It was noted that Council Member Linda Reel was presented with the Missouri Parks and Recreation Association's Citation Award at its annual conference in Branson, Missouri. Congratulations were given to Council Member Reel from the Council and meeting attendees for her dedication to Parks and Recreation within the City of Ellisville.

Mayor Roemerman adjourned the meeting at 7:41 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Leigh A. Dohack".

LEIGH A. DOHACK
City Clerk