

**CITY OF WELDON SPRING
REGULAR MEETING OF THE BOARD OF ALDERMEN
NOVEMBER 14, 2017**

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, November 14th, 2017 at approximately 7:30 P.M. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. The meeting was called to order by Mayor Donald Licklider.

PLEDGE OF ALLEGIANCE: All present stood for the Pledge of Allegiance.

ROLL CALL AND DETERMINATION OF QUORUM: The following Aldermen were present: Kolb, Schwaab, Kohrs, Hillmer, Baker and Robb. A quorum was declared.

APPROVAL OF MINUTES:

**** Alderman Kolb moved to approve the minutes from the October 26th, 2017 meeting as submitted and Alderman Baker seconded the motion. The motion carried.*

PUBLIC FORUM – CITIZENS COMMENTS:

Steve Crum (Hemingway Lane) stated that he was a member of the City's Planning & Zoning Commission as well as the President of the Chapter One HOA. He also stated that he voted "no" at the most recent P&Z meeting as far as the Vanguard Apartments were concerned. He mentioned that a petition of over 600 hundred signatures had been collected which represented a good cross-section of the City and the people who signed the petition were not in favor of the proposed development, citing traffic concerns and size and appearance.

Tom Szilasi (Hemingway Lane) passed out a parcel map that he had obtained from the St. Charles Assessor's Office. He continued by explaining the map and how the parcels were laid out. He said that Weldon Spring created the Planning & Zoning Commission and it needs to be pro-active rather than re-active. He finished by saying that a short term project is not a long term solution.

Phil Martiszus (Mergenthal Court) mentioned the City's Comprehensive Plan and how the City needs to follow it. He said that no one was against the current owners of the property selling their land but stated that at least 10% of the population of the City doesn't want the apartments.

John Rodden (Legend Court) said that he has been a resident of the City for almost 20 years and felt that the Board has always tried to go along with the resident's vision of how the City should be. He said that he was also concerned for the safety of drivers who use the intersection at Highway 94 and Breeze Park because there was another resident recently killed at that intersection.

JoAnne Dunaway (Gareth) said that she was concerned over the traffic impact that the proposed Vanguard Apartments would cause on our roads. She asked the Board to review the Comprehensive Plan again and stated that she felt that a good use for this property would be to build a new, more modern City Hall and recreation center. She said that we should dictate to the developers and not let them dictate to us.

Jeanette Vogt (Robert Johns Way) said that she was still waiting to hear a legitimate

reason to stop this proposed project. She said that her parents (Mr. & Mrs. Vogt) were approximately 80 years old and cannot continue to maintain this property any longer. She also stated that the City built the road (Siedentop) that runs through the property and that this development meets all the City rules and guidelines.

PUBLIC HEARING:

There were no public hearings.

TREASURER'S REPORT:

**** Alderman Baker moved to approve the Paid Bills for the period covering October 20th, through November 8th, 2017 and Unpaid Bills from October 27th, 2017 through November 14th, 2017 as submitted. Alderman Schwaab seconded the motion and the motion carried.*

OLD BUSINESS:

A.- BILL #1099 – AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR VANGUARD APARTMENTS AND MATTERS RELATING THERETO – (Ald. Kohrs)

**** Alderman Kohrs moved to read Bill #1099 for the second and final time and Alderman Hillmer seconded the motion. The motion carried.*

Alderman Baker said that he had attended all the Planning & Zoning and Board of Aldermen meetings regarding the Vanguard Apartments. He complimented the Developer on their re-design and the original plan.

Paul Langdon (Vanguard Apartments) produced an over-head. He stated that no part of the property is gated and all trails would be open to the public. He said that the project was 20% smaller than what was originally submitted. He said that the Cottleville Fire District had approved the layout and they did receive an OK from MoDOT as far as the light at Siedentop and Highway 94 went. He continued by saying that they had complied with the requirements of the City's Zoning Code. He mentioned that the development will have a dog park and open areas for the public as well as being fully landscaped. Mr. Langdon also stated that he understood the vision of the City's Comprehensive Plan but said that other developers have not come forward because the area is not considered popular. He said that as far as retail goes, it would generate more traffic than the proposed apartments and that this was not a rezoning and everything would be completed as shown on the plans. He finished by stating that they have met all the City's requirements.

Alderman Baker said that other developers have come forward and presented plans to the City and he has never seen the same response from the residents as he has seen on this particular project. He continued by saying that the Board answers to the people and even though we go through the Comprehensive Plan every five years needs and things change. He said that the signatures on the petitions that were signed were not strictly those residents from Chapter One.

Alderman Kohrs said that he has received many emails as well. He said that he has been on the Planning & Zoning Commission as well as the Board of Aldermen and he has worked on the Comprehensive Plan updates and he understood the desire as for as keeping the "rural" feeling in the City but not along Highway(s) 94 and 40. He said that

this project is 20 acres of approximately 65 acres of ground and that the Old Town overlay property was not owned by the same owners. He continued by saying that our ordinances do not designate between condos and apartments and that you can't change the rules of the game after the game has started. He stated that he voted against the Creekside development because of the small lots. Alderman Kohrs also said that there would not be an impact on the Francis Howell school district because the schools have the room and the additional tax base would certainly help. He said that he also wanted it noted that this was NOT a rezoning as the heading on the petition that was being circulated stated and many residents in his subdivision had told him that they would not have signed the petition if they had known that. He finished by saying that if someone else has the money to purchase this land and keep it in its current state, then do it, otherwise he felt that the owners have the right to sell their land.

Alderman Robb said that he has been an Alderman now for eight years and said that we have many meetings on the updates to the City's Comprehensive Plan and maybe 10 residents showed up. He wanted to challenge everyone in the room to run for public office and to get involved. He questioned the audience and asked where the City would be in another 10 or 15 years. He stated that the City has no taxes. He also mentioned that the McDonald's moved out of town because they couldn't survive where they were.

Alderman Hillmer said that the Board has to take everything into account on this. He thanked the landowners, the developers and the citizens. He said that he really struggled with this decision. He also commented that this was NOT a rezoning and felt that people were misled. He said that if his son wanted to move back to Weldon Spring after college, there were no apartments for him to move into in the City. He said that this was not an easy decision for any of the Board members to make.

Roll Call: Kohrs-yes, Baker-no, Kolb-no, Hillmer-yes, Robb-yes and Schwaab-no.

The vote ended in a tie, thereby the Mayor must break a tie vote.

Mayor Licklider stated that since the Planning & Zoning Commission recommended approval, he would break the tie and vote yes.

Bill # 1099 passed and became Ordinance # 17-11.

B.) – BILL # 1100 – AN ORDINANCE APPROVING THE AMENDED AREA PLAN FOR VANGUARD APARTMENTS – (Ald. Baker)

****Alderman Baker made a motion to take Bill # 1100 off the table for the second and final reading. Alderman Robb seconded the motion. The motion carried.*

Roll Call: Baker-no, Kohrs-yes, Robb-yes, Kolb-no, Hillmer-yes and Schwaab-no.

The vote ended in a tie, with the Mayor once again having to break the tie.

Mayor Licklider stated that since the Planning and Zoning Commission recommended that the Board of Aldermen approve the development, he would break the tie and vote yes.

Bill # 1100 passed, becoming Ordinance # 17-12.

NEW BUSINESS:

A. - HR GREEN -SUPPLEMENTAL AGREEMENT #2 – (Discussion/Motion)

No action taken.

B. – AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY BY

REPEALING SECTION 116.040 “WELDON SPRING ACTIVITIES COMMITTEE”
IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 116.040 AND
MATTERS RELATING THERETO – (Ald. Robb)

**** Alderman Robb moved to introduce Bill #1102 for its first reading. Alderman Kohrs seconded the motion and the motion carried.*

There was some discussion over the fact that committee members could vote.

Bill # 1102 was tabled in accordance with City Code.

C. – AN ORDINANCE ESTABLISHING THE PROCEDURE, REQUIREMENTS AND
TIME PERIOD FOR FILING AS A CANDIDATE FOR THE OFFICE OF
ALDERMAN FOR THE CITY OF WELDON SPRING IN THE APRIL 3rd, 2018
MUNICIPAL ELECTION – (2X) – (Alderman Kolb)

**** Alderman Kolb moved to introduce Bill #1103 for its first reading. Alderman Hillmer seconded the motion and the motion carried.*

Alderman Kolb then moved to read Bill # 1103 for the second and final time tonight and Alderman Hillmer seconded.

Alderman Kolb then read Bill # 1103 for the second and final time.

Roll Call: Kolb-yes, Hillmer-yes, Baker-yes, Robb-yes, Schwaab-yes and Kohrs-yes.

Bill # 1103 passed, becoming Ordinance # 17-13.

D. – A RESOLUTION OF THE CITY OF WELDON SPRING ADOPTING THE ST.
LOUIS REGIONAL ALL-HAZARD MITIGATION PLAN 2015-2020 (UPDATED
2015) – (Ald. Schwaab)

**** Alderman Schwaab made a motion to approve the Resolution as presented and Alderman Hillmer seconded the motion. The motion carried and the Resolution was passed by a voice vote. No one voted “no”.*

E. – AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WELDON
SPRING TO EXECUTE AN AGREEMENT WITH ST. CHARLES COUNTY FOR
CERTAIN LAW ENFORCEMENT SERVICES, INCLUDING PATROL SERVICES
AND ENFORCEMENT OF CERTAIN MUNICIPAL ORDINANCES RELATED TO
POLICE SERVICES AND MATTERS RELATING THERETO –

**** Alderman Baker made a motion to introduce Bill # 1104 for its first reading.*

Alderman Kohrs seconded the motion. The motion carried.

The **City Administrator** (Michael Padella) said that new contract is basically the same as last year’s other than the fact that the costs have increased as was expected. He said that it was about a 4% increase or around \$10,000.

Alderman Robb wanted to know how we monitor time and whether or not we need to contract for more hours.

Mayor Licklider said that currently we contract for ten hours per day and stated that he gets a monthly report from the County.

Bill #1104 was tabled in accordance with City Code.

F. – APPROVAL OF NEWSLETTER – (Consideration/Motion)

Alderman Robb complimented the new changes that were made to the overall design of the Newsletter.

The **City Administrator** stated that Mitchell Jordan (Public Relations Intern) took the liberty of re-doing the new layout.

****Alderman Hillmer made a motion to approve the Newsletter as corrected and Alderman Kohrs seconded the motion. The motion carried.*

REPORTS & COMMITTEES

City Administrator: The City Administrator (Michael Padella) had submitted his report previously.

2. – 1. – Extension of Boulder Wall at Tudor Trace: Mr. Padella stated that since the City was unable to obtain a quote or cost estimate to have the boulder wall extended on the southwest corner of Independence Road and Tudor Trace Court, the resident at 403 Tudor Trace requested a quote from their landscaper (Cooper Outdoor Services) in the amount of \$1500.00. Mr. Padella asked that the Board approve this amount.

****Alderman Kohrs made a motion to approve the amount of \$1500.00 to be paid to Scott and Kari Montgomery upon proof of completion and payment to their contractor for an extension of the boulder wall at 403 Tudors Trace Court. Alderman Schwaab seconded the motion. The motion carried.*

City Attorney: The City Attorney (Robert Wohler) said that it has taken 21 months to get all of the easements in line on the Independence Road Phase 4 road project but he finished it today and was under budget as well.

Alderman Schwaab wanted to know when the City will start on the Independence Road (Phase 4) road construction.

Mayor Lickliger said that he wasn't sure at this point.

The **City Administrator** commented that St. Charles Engineering will draw up the design and then there will be an open meeting for presentation. After that the Board will need to approve the design and then it goes to MoDOT for approval and then bid specs are prepared and hopefully we can start the actual work in spring of 2018.

Planning & Zoning Commission: **Alderman Schwaab** commented that the P&Z Commission did in fact recommend that the Board of Aldermen approve the Vanguard Apartment development.

Alderman Kolb stated that never before in all her years as a Board member has she seen this much opposition to a single development as she has with the Vanguard Apartment project

Committee Reports: No report given.

Alderman Schwaab mentioned that there had been another fatality at the Highway 94/Breeze Park intersection and commented that this is a very dangerous area.

Mayor Lickliger said that he has been trying to work with the State Rep and MoDOT but they keep saying that the numbers just aren't there to support a signal light.

RECEIPTS & COMMUNICATIONS:

No response.

WORK SESSION:

None called for.

CLOSED SESSION:

There was no closed session called.

ADJOURNMENT:

**** Alderman Kolb moved to adjourn the meeting at 9:15 PM and Alderman Kohrs seconded the motion. The motion carried and the meeting was adjourned.*

Respectfully Submitted: _____

M. Kwiatkowski, MRCC

City Clerk