

**CITY OF ELLISVILLE  
COUNCIL MEETING**

**JANUARY 20, 2021**

Due to the Saint Louis County Executive Order gathering limitations the January 20, 2021 Regular Council meeting was held via live videoconference. *A link was provided on the City's website for all that wanted to participate in the videoconference.*

Mayor Roemerman served as the host of this videoconference meeting and opened this Regular Meeting at 7:39 p.m. In attendance were via videoconference were Council Members Chismarich, McGrath, Reel, Cahill, Pool and Duffy.

Also present via videoconference were: City Manager Schwer, City Attorney Restovich, City Planner Hood, Chief Steve Lewis, Park Director Blumer and City Clerk Dohack.

All those in attendance via videoconference recited the Pledge of Allegiance led by Council Member Cahill.

**APPROVAL OF AGENDA**

Mayor Roemerman moved to approve the evening's agenda, seconded by Council Member Reel. The votes on the approval were "AYES".

**APPROVAL OF MINUTES**

Mayor Roemerman moved to approve the minutes from the December 2, 2020 Regular Council Meeting. The motion was seconded by Council Member Reel. The votes on the minutes were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roemerman "AYE".

**PUBLIC COMMENTS I**

There were no public comments.

**PETITIONS**

23 Mar El Court, Lea Anne and Peter Banholzer, chain link fence variance

Petition of Lea Anne and Peter Banholzer for City Council consideration and approval allowing a new 6' high chain link fence at 23 mar El Court within the R-1 Single Family Residential Zoning District.

Lea Anne and Peter Banholzer was present to answer questions from the Council Members. Council Members thanked Mr. and Mrs. Banholzer for investment in their new home and appreciated the detail of the information provided pertaining to the request. Council then proceeded to discuss the height and style of the fence. Mayor Roemerman and Council Members McGrath, Chismarich and Pool noted their concern with the six (6) foot height, all noted that they would consider a four (4) foot high chain link fence. Council Member Duffy noted that he was in

favor of a higher quality fence that would adhere to the existing regulations.

Mayor Roemerma moved to approve a four (4) foot black coated chain link fence. The motion was seconded by Council Cahill. The votes were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roemerma "AYE".

### **RECIPT/FILING PLANNING AND ZONING RECOMMENDATIONS/REPORTS**

Mayor Roemerma moved to receive and file of the following Planning and Zoning Commission's recommendations:

- A. Receipt and filing of Planning and Zoning Commission's positive recommendation dated December 10, 2020 relative to a City-initiated petition for text amendments to Title IV: Land Use, of the City of Ellisville, Missouri, in order to establish regulations pertaining to sign/banners on sidewalk luminaires.

The motion was seconded by Council Member Cahill. The votes were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roemerma "AYE".

### **PUBLIC HEARINGS**

#### Text Amendments, Signs/Banners on Sidewalk Luminaires

Mayor Roemerma opened the public hearing regarding the City-initiated petition for text amendments to Title IV: Land Use, of the City of Ellisville, Missouri, in order to establish regulations pertaining to signs/banners on sidewalk luminaires. 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 November 19, 2020; Exhibit 5, Notice published in *West Newsmagazine* on December 2, 2020; Exhibit 6, City Planner's Memo dated December 3, 2020; Exhibit 7, Proposed Draft of Regulations; Exhibit 8, E-mail from City Engineer dated November 24, 2020 with attached drawings; Exhibit 9, Planning and Zoning Commission Report and Positive Recommendation dated December 10, 2020; Exhibit 10, Notice published in *The Countian* of January 13, 2021; and Exhibit 11, City Planner's Memo dated December 15, 2020.

City Planner Hood and City Manager Schwer were sworn in. City Planner began a presentation pertaining to the proposed text amendments by explaining the process and discussing the recommendations brought forward from the Economic Development Commission. Discussion ensued pertaining to those businesses that do not have luminaires and if they would have the opportunity to provide banners. Staff noted that businesses which have luminaires on their property could provide an opportunity to businesses without luminaires of an agreement for banner space. Council Member Duffy stated that was in favor of the signs but not the luminaires. Council Member Pool stated that this was taking a step back for signage and is not in favor of the text amendments. Council discussion continued on the type of arm that would be utilized and how it would be attached to the luminaire, also the size and type of logos on the signs.

### *Public Comments*

Marilyn Niebling, 531 Triton Way, noted concerns about signs and the existing empty brackets.

Mayor Roemerma polled the participating Ellisville residents and property owners regarding the information as presented: No residents were in favor and two (2) residents were in opposition.

Mayor Roemerma closed the public hearing.

### **LEGISLATION**

#### Bill #3698, Text amendments pertaining to Sidewalk Luminaire Banner/Signs Regulations

Mayor Roemerma introduced Bill #3698, AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 410: SIGNS AND ADVERTISING DEVICES, OF THE MUNICIPAL CODE OF THE CITY OF ELLISVILLE, TO ADD REGULATIONS PERTAINING TO SIDEWALK LUMINAIRE BANNERS. Mayor Roemerma moved for consideration and perfection of Bill #3698, seconded by Council Member Chismarich.

Discussion continued on the proposed banners. Many Council Members stated their opposition to the text amendment to allow the signage noting there would be too many signs and provide an equal opportunity to businesses without luminaires.

Mayor Roemerma moved to amend Bill #3698 to not purchase the banners until there is a 50% participation from the community businesses. There was no second on the motion.

The votes on the first reading of Bill #3698 were: Chismarich "AYE", McGrath "NAY", Reel "NAY", Cahill "NAY", Pool "NAY", Duffy "NAY", and Roemerma "AYE". The first reading failed. Bill #3698 failed.

### **PUBLIC COMMENTS**

Leland Foster, 65 Barrow Ridge, commented on the roundabout discussion proposal at Old State and Ridge Roads.

### **MAYOR/COUNCIL BUSINESS/REPORTS**

#### Appointment to the Planning and Zoning Commission

Mayor Roemerma moved to appointment Leland Foster to the Planning and Zoning Commission. The Council requested discussion prior to voting on this appointment. Council Member McGrath noted that there is a candidate from District 2, Carri Cahill, that should be considered to fill the District 2 vacancy. Mayor Roemerma noted that Mrs. Cahill is the spouse of a seating Council Member and the best practice is to not appoint Council Member's significant other. It was noted that Sandie McGrath (Council Member McGrath's wife) was appointed to the Planning and Zoning Commission prior to Council Member McGrath's election to the Council. City Attorney Restovich noted this practice is not prohibited, but it is about the optic of the situation. Council Member Cahill noted that Mrs. Cahill is a 20-year resident of the community and would be a good Commissioner. Council Member Pool noted that these rules have not always been enforced, but all should be given an opportunity. Mayor Roemerma called the meeting back in order and noted

he has given consideration to this and his job is to make the appointment and the Council votes on the recommendation. Discussion continued on the appointment being from District 2. Mayor Roerman tabled the appointment until the February 17<sup>th</sup> Council Meeting, so that all nominees could attend the February 10<sup>th</sup> Planning and Zoning Commission meeting.

Appointments to the Park Advisory Board

Council Member Duffy moved to appoint John Mueller to the Park Advisory Board, the motion was seconded by Council Member Reel. The votes on the appointment were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roerman "AYE".

Mayor Roerman moved to appoint Mindy Kelley to the Park Advisory Board, the motion was seconded by Council Member Duffy. The votes on the appointment were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roerman "AYE".

Mayor Roerman moved to appoint Cory Murner to the Park Advisory Board, the motion was seconded by Council Member Pool. The votes on the appointment were: Chismarich "AYE", McGrath "AYE", Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", and Roerman "AYE".

Appointment to the Board of Adjustment

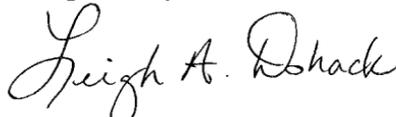
This item was tabled until the February 3<sup>rd</sup> Council Meeting to allow the nominee to be contacted and notified of the consideration.

**ACTIVE COMMITTEE STATUS/UDPATES**

Council Member Pool noted that the Missouri Municipal League will host the Legislative Update in Jefferson City on February 9-10, 2021.

Mayor Roerman adjourned the meeting at 9:11 p.m.

Respectfully submitted,



LEIGH A. DOHACK  
City Clerk