

**CITY OF ELLISVILLE
COUNCIL MEETING**

MARCH 16, 2022

Due to the Covid pandemic concerns the March 16, 2022 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 opened this Regular Meeting at 7:11 p.m. In attendance were Council Members McGrath, Compton, Cahill, Duffy and Boggs.

Also present in person and via videoconference were: City Manager Schwer, City Attorney Malone, City Planner Hood, Police Chief Lewis and City Clerk Dohack.

All those in attendance via videoconference recited the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mayor Roemerman moved to approve the minutes from the February 16, 2022 Regular Council Meeting. The motion was seconded by Council Member Compton. The votes were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerman "AYE".

PUBLIC COMMENTS I

There were no public comments.

RECEIPT/FILING OF PLANNING AND ZONING COMMISSION

Mayor Roemerman 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 February 10, 2022 relative to the petition TR Auto & Tire Service d/b/a Ellisville Tire & Service to amend an existing Conditional Use Permit (approved via Ordinances #2230 & #2271) authorizing the operation of a Retail Tire and Automobile Service Store at the property known and numbered as 16384 Truman Road within the "C-4" Ellisville Business Park Zoning District
- B. Receipt and filing of Planning and Zoning Commission's positive recommendation dated March 10, 2022 relative to the petition of National Veterinary Associates, Inc., for approval of a conditional use permit for No Leash Needed, to allow the operation of a pet day-care facility, a pet training facility and boarding kennel services, at the location known and numbered as 15599 Manchester Road, within the "C-3" Commercial Zoning District.

The motion was seconded by Council Member Duffy. The votes were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roemerman “AYE”

PUBLIC HEARINGS

15382 Manchester Road (XGolf Indoor Golf Simulator), liquor and entertainment establishment conditional use permit

Mayor Roemerman opened the public hearing pertaining to the petition of XGolf Indoor Golf Simulator for a conditional use permit to allow the operation of a retail beverage and retail entertainment establishment with the sale of liquor at the location known and numbered as 15832 Manchester Road within the C-3 Commercial Zoning District. City Attorney Malone entered the following exhibits for the 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 Legal Ledger* on March 1, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on February 28, 2022; Exhibit 6, Public posting of notice dated January 31, 2022; Exhibit 7, Notice of public hearing for February 16, 2022; Exhibit 8, Letter mailed to abutting property owners within 185 feet on January 28, 2022; Exhibit 9, Affidavit for posting of public hearing dated January 31, 2022; Exhibit 10, Notice published in *The Countian* dated January 28, 2022; Exhibit 11, Memorandum to Planning and Zoning Commission from City Planner from February 9, 2022; Exhibit 12, Letter from applicant dated January 26, 2022; Exhibit 13, Application Cover Sheet dated January 26, 2022; Exhibit 14, Application for Conditional Use Permit; Exhibit 15, Staff report from City Planner to City Manager; Exhibit 16, Email correspondence from Drew Weckbach with XGolf to City Planner dated March 4, 2022; Exhibit 17, Letter from Terraspec regarding Landscape Plan Review No. 1 dated February 25, 2022; Exhibit 18, Email correspondence from Julie Nolfo at Lochmueller Group to City Planner dated March 1, 2022; and Exhibit 19, Planning and Zoning Commission Report and Positive Recommendation dated February 9, 2022. Drew and Michele Weckbach, XGolf franchise owners, and City Planner Hood were sworn in by City Clerk Dohack for this public hearing.

Mr. Weckbach gave an overview of the proposed business, stating that this is a new franchise model for indoor golf simulator that is currently migrating to the Midwest. Mr. Weckbach noted that there will be leagues and corporate parties offered by the business.

Mayor Roemerman asked about the food and beverage offerings and Mr. Weckbach answered that there will be beer, a limited bar and kitchen menu available. Mayor Roemerman also asked about retail sales and Mr. Weckbach stated that about 2-7% of sales would be for merchandise associated with the business.

Mr. Weckbach went on to discuss the staff recommendations pertaining to cross access, the luminaires requirement, landscaping and sidewalk requirements. Discussion continued about the cross-access recommendations and the best placement on the property. It was noted that the best place for the cross-access would be at behind 15424 Manchester Road (Mueller Furniture) to the West. Charimsa Cartham, a representative for the property owner, was sworn in by City Clerk Dohack. Ms. Cartham stated that the property owner was amendable to the cross access.

Mr. Weckbach outlined the requested waivers from the recommendations noted in the proposed Bill #3734 for the following:

- The sidewalk requirements noted in Section 1(6) due to the utility pole, and
- The connection from the center's sidewalk noted in Section 1(7), and
- The bike rack requirement from Section 1(8).

There were no public comments during this public hearing.

Mayor Roemerman polled Ellisville residents and property owners regarding the petition as presented: Three (3) residents were in favor and no one opposed. Mayor Roemerman closed the public hearing.

16384 Truman Road (Ellisville Tire & Service), amendment to existing conditional use permit to allow additional auto service

Mayor Roemerman opened the public hearing pertaining to the petition of TR Auto & Tire Service, d/b/a Ellisville Tire & Service, for approval of an amendment to an existing conditional use permit to allow additional auto service uses at the location known and numbered as 16384 Truman Road within the "C-4" Ellisville Business Park Zoning District. City Attorney Malone entered the following exhibits for the 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 28, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on February 28, 2022; Exhibit 6, Public posting of notice dated March 2, 2022; Exhibit 7, Memorandum to Planning and Zoning Commission from City Planner from February 9, 2022; Exhibit 8, Staff report from City Planner to City Manager; Exhibit 9, Application Cover Sheet dated January 20, 2022; Exhibit 10, Application for Conditional Use Permit (to amend/transfer ownership), including attached plans received January 20, 2022; Exhibit 11, Letter from RA Smith dated January 20, 2022; Exhibit 12, Ordinance 2230 (approving issuance of CUP); Exhibit 13, Ordinance 2271 (amendment of CUP); and Exhibit 14, Planning and Zoning Commission Report and Positive Recommendation dated March 9, 2022. Steve McCleary with RA Smith was sworn in by City Clerk Dohack for this public hearing.

The amendment was required due to the change of ownership. City Planner Hood noted that years ago, auto service use was added as a conditional use to the C-4 zoning district and that the Planning and Zoning Commission could not approve the minor amendment.

There were no public comments during this public hearing.

Mayor Roemerman polled Ellisville residents and property owners regarding the petition as presented: Four (4) residents were in favor and no one opposed. Mayor Roemerman closed the public hearing.

15599 Manchester Road (No Leash Needed), pet related facility conditional use permit

Mayor Roemerman opened the public hearing pertaining to the petition of National Veterinary Associates, Inc., for approval of a conditional use permit for No Leash Needed, to allow the sale of pet-related retail products, pet day-care facility, and pet grooming, training and boarding services, at the location known and numbered as 15599 Manchester Road, within the "C-3" Commercial Zoning District. City Attorney Malone entered the following exhibits for the 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 Legal Ledger* on

March 1, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on February 28, 2022; Exhibit 6, Public posting of notice dated March 1, 2022; Exhibit 7, Staff report from City Planner to City Manager; Exhibit 8, Memorandum to Planning and Zoning Commission from City Planner from March 9, 2022; Exhibit 9, Letter from Terraspec regarding Landscape Plan Review No. 1 dated November 15, 2021; Exhibit 10, Letter from Carmody MacDonald on behalf of Applicant dated February 28, 2022; Exhibit 11, Letter from Carmody MacDonald on behalf of the Applicant dated November 5, 2021; Exhibit 12, Application Cover Sheet dated November 4, 2021; Exhibit 13, Application for Conditional Use Permit received January 8, 2022; and Exhibit 14, Planning and Zoning Commission Report and Positive Recommendation dated March 9, 2022. The following individuals were sworn in by City Clerk Dohack for this public hearing: Patrick Wittenbach, Shad Cloud, Bill Barnes, Michael LaVigne, Dennis Boyd, City Planner Hood, and City Manager Schwer.

Mr. Wittenbach began with the presentation on the proposed development and stated that they are amenable to of the staff recommendations. Mr. Barnes with NAI Desco noted that this property was first listed in 2019, providing some history pertaining the site. Mr. Barnes noted that he was worked with National Veterinary Associates (NVA) and No Leash Needed on other developments and stated that are excited to be in Ellisville. Mr. LaVigne with NVA provided some information on the business and stated that No Leash Needed is a recognized business in St. Louis. Discussion took place pertaining to the service that would be provided at this facility. Council Member McGrath questioned the capacity of this facility and Mr. Cloud noted that there would be up to 66 boarding kennels and 60-120 dogs for daycare or boarding depending on staffing. Additional discussion took place on the fencing, waste removal for the outdoor areas and the amount of time the dogs would be outside during the day.

There were no public comments at this time.

Mayor Roerman polled Ellisville residents and property owners regarding the petition as presented: Three (3) residents were in favor and no one opposed. Mayor Roerman closed the public hearing.

LEGISLATION

Ord. #3507, 15382 Manchester Road (XGolf Indoor Golf Simulator), liquor and entertainment conditional use permit

Council Member McGrath introduced Bill #3734, AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT AND LIQUOR LICENSE TO XGOLF INDOOR GOLF SIMULATOR TO ALLOW THE OPERATION OF A RETAIL ENTERTAINMENT ESTABLISHMENT WITH LIQUOR SALES AT THE LOCATION KNOWN AND NUMBERED AS 15382 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member McGrath moved for consideration and perfection of Bill #3734, seconded by Council Member Duffy.

Mayor Roerman moved to amend Bill #3734 to remove the requirement for installation of the improvements for cross-access to the west. The motion was seconded by Council Member Duffy. The votes on the amendment were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roerman "AYE".

Council Member Duffy moved to amend Bill #3734 to waive the replacement of the sidewalk along Manchester Road, seconded by Mayor Roemerma. The votes on the amendment were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE".

Mayor Roemerma moved to amend Bill #3734 to waive requirement for connection from the center's sidewalk to the sidewalk along Manchester Road and the installation of the bike racks. The motion to amend was seconded by Council Member Duffy. The votes on the motion were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE".

The votes on the first reading of Bill #3734, as amended, were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE". Council Member McGrath introduced Bill #3734, as amended, for final passage, AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT AND LIQUOR LICENSE TO XGOLF INDOOR GOLF SIMULATOR TO ALLOW THE OPERATION OF A RETAIL ENTERTAINMENT ESTABLISHMENT WITH LIQUOR SALES AT THE LOCATION KNOWN AND NUMBERED AS 15382 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member McGrath moved for final passage of Bill #3734, as amended, seconded by Mayor Roemerma. The votes on the second reading were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE". Bill #3734 becomes ORDINANCE #3507.

Ord. #3508, 16384 Truman Road (Ellisville Tire & Service), amends an existing conditional use permit to add auto service

Council Member Duffy introduced Bill #3739, AN ORDINANCE AUTHORIZING AN AMENDMENT TO A CONDITIONAL USE PERMIT PREVIOUSLY ISSUED TO TR AUTO & TIRE SERVICE, D/B/A ELLISVILLE TIRE & SERVICE TO TRANSFER OWNERSHIP AND TO ALLOW ADDITIONAL AUTO SERVICE USES AT THE LOCATION KNOWN AND NUMBERED AS 16384 TRUMAN ROAD, WITHIN THE C-4 ELLISVILLE BUSINESS PARK ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for consideration and perfection of Bill #3739, seconded by Council Member Boggs. The votes on the first reading of Bill #3739 were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE". Council Member Duffy introduced Bill #3739 for final passage, AN ORDINANCE AUTHORIZING AN AMENDMENT TO A CONDITIONAL USE PERMIT PREVIOUSLY ISSUED TO TR AUTO & TIRE SERVICE, D/B/A ELLISVILLE TIRE & SERVICE TO TRANSFER OWNERSHIP AND TO ALLOW ADDITIONAL AUTO SERVICE USES AT THE LOCATION KNOWN AND NUMBERED AS 16384 TRUMAN ROAD, WITHIN THE C-4 ELLISVILLE BUSINESS PARK ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for final passage of Bill #3739, seconded by Council Member Boggs. The votes on the second reading were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE". Bill #3739 becomes ORDINANCE #3508.

Ord. #3509, 15599 Manchester Road (No Leash Needed), conditional use permit for pet day-care facility with groom and boarding

Council Member Compton introduced Bill #3740, AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO NATIONAL VETERINARY ASSOCIATES, INC., D/B/A NO LEASH NEEDED, TO ALLOW THE SALE OF PET-RELATED RETAIL PRODUCTS, PET DAY-CARE FACILITY, AND PET GROOMING, TRAILING AND BOARDING SERVICES, AT THE LOCATION KNOWN AND NUMBERED AS 15599 MANCHESTER ROAD, WITHIN THE “C-3” COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE. Council Member Compton moved for consideration and perfection of Bill #3740, seconded by Council Member Duffy.

Council Member Duffy moved to amend Bill #3740 to include that the applicant will use best practices as reviewed by the City Manager/Engineer for handling of dog waste run-off. The motion to amend was seconded by Council Member Compton. The votes were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roerman “AYE”.

The votes on the first reading of Bill #3740, as amended, were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roerman “AYE”. Council Member Compton introduced Bill #3740, as amended, for final passage, AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT TO NATIONAL VETERINARY ASSOCIATES, INC., D/B/A NO LEASH NEEDED, TO ALLOW THE SALE OF PET-RELATED RETAIL PRODUCTS, PET DAY-CARE FACILITY, AND PET GROOMING, TRAILING AND BOARDING SERVICES, AT THE LOCATION KNOWN AND NUMBERED AS 15599 MANCHESTER ROAD, WITHIN THE “C-3” COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE. Council Member McGrath moved for final passage of Bill #3740, as amended, seconded by Council Member Duffy. The votes on the second reading were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roerman “AYE”. Bill #3740 becomes ORDINANCE #3509.

Ord. #3510, Specialty Docket Agreement with St. Louis County Municipal Court

Council Member Cahill introduced Bill #3741, AN ORDINANCE TO AUTHORIZE AND DIRECT CITY MANAGER SCHWER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF ELLISVILLE, MISSOURI WITH ST. LOUIS COUNTY, MISSOURI, FOR CERTAIN ORDINANCE VIOLATIONS OF THE CITY OF ELLISVILLE TO BE HEARD AND DETERMINED ON SPECIALTY DOCKETS OF THE ST. LOUIS COUNTY MUNICIPAL COURT. Council Member Cahill moved for consideration and perfection of Bill #3741, seconded by Council Member Duffy. The votes on the first reading of Bill #3741 were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roerman “AYE”. Council Member Cahill introduced Bill #3741 for final passage, AN ORDINANCE TO AUTHORIZE AND DIRECT CITY MANAGER SCHWER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF ELLISVILLE, MISSOURI WITH ST. LOUIS COUNTY, MISSOURI, FOR CERTAIN ORDINANCE VIOLATIONS OF THE CITY OF ELLISVILLE TO BE HEARD AND DETERMINED ON SPECIALTY DOCKETS OF THE ST. LOUIS COUNTY MUNICIPAL COURT. Council Member Cahill moved for final passage of Bill #3741, seconded by Council Member Compton. The votes on the second reading were: McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Duffy “AYE”, Boggs “AYE”, and Roerman “AYE”. Bill #3741 becomes ORDINANCE #3510.

Resolution #03-16-2022, COVID Grants Funds

Mayor Roemerma introduced Res.#03-16-2022, A RESOLUTION OF THE CITY OF ELLISVILLE CITY COUNCIL TO OBLIGATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS IN COMPLIANCE WITH THE U.S. DEPARTMENTS OF THE TREASURY'S FINAL RULE. Mayor Roemerma moved for consideration and perfection of Res. #03-16-2022, seconded by Council Member Duffy. The votes were: McGrath "AYE", Compton "AYE", Cahill "AYE", Duffy "AYE", Boggs "AYE", and Roemerma "AYE". The resolution was approved.

PUBLIC COMMENTS

There were no public comments.

MAYOR/COUNCIL BUSINESS/REPORTS

Proclamation Honoring Bob Kraus with Bethesda Meadow

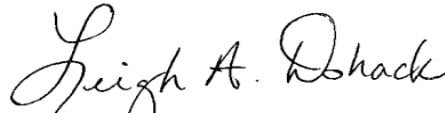
Mayor Roemerma read a proclamation for Bob Kraus with Bethesda Meadow on his upcoming Honor Flight.

ACTIVE COMMITTEE STATUS/UDPATES

There were no comments.

The meeting adjourned at 8:57 p.m.

Respectfully submitted,



LEIGH A. DOHACK
City Clerk