

**CITY OF ELLISVILLE
COUNCIL MEETING**

APRIL 7, 2021

Due to the Saint Louis County Executive Order gathering limitations the April 7, 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 Roerman served as the host of this videoconference meeting and opened this Regular Meeting at 7:16 p.m. In attendance were via videoconference were Council Members McGrath, Reel, Cahill, Pool and Duffy.

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

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Mayor Roerman moved to approve the minutes from the March 17, 2021 Regular Council Meeting. The motion was seconded by Council Member Duffy. The votes on the minutes were: Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", Roerman "AYE", and McGrath "AYE".

PUBLIC COMMENTS I

Bonnie Krueger, 715 Carmen Woods Drive, introduced herself as the new reporter for the West Newsmagazine.

Marilyn Niebling, 531 Triton Way, commented that she supports the daycare facility conditional use permit application by Higher Ground Education. Mrs. Niebling noted that the traffic challenges has been addressed and that a daycare would be a good option for that property and there are other vacant storefronts for the business that would be moving from the location in question.

Chris Horney, 227 West Monroe Street, Chicago IL, representing Higher Ground Education, noted that all concerns during the previous meeting and public hearing have been addressed. Mr. Horney commented that a speedbump will be placed within the parking lot to discourage the cut-through traffic, for the parking lot concerns wheel stops will be installed near the building and the playground, and the drive isle is between 2-3 feet above the required lane. Lastly, Mr. Horney stated that they are excited to be part of the Ellisville community.

Sara Krenski, 10105 Georgian Trail and employee of High Ground Education, commented that she is excited that this day care facility is coming to the community. Mrs. Krenski noted that the Montessori school format is a great education and wanted to show her support for the project.

PETITIONS

16148 Clayton Road, secondary accessory structure request

Petition of Mr. Robert Kenkel for consideration and approval of an accessory structure measuring in excess of 600 square feet maximum allowed at 16148 Clayton Rod within the R-1 Single Family Residential Zoning District.

Robert Kenkel participated in the meeting to answer questions from the Council. Mr. Kenkel disclosed that he is the property owner of 16156 Clayton Road, 16152 Clayton Road, 16148 Clayton Road and until 48 days, 16144 Clayton Road. He is not an absentee landlord and only wants to improve the properties. He expressed his concern about the lack of questions from his petition at the March 17th meeting, noting that he is owner of the properties on both sides. Mayor Roerman noted that he did question the last proposal due to the size of the accessory building, but that is not what is being presented today. Mayor Roerman stated he does not appreciate the approach but this is a good plan for this property and is in favor of this proposal. Council Member Duffy noted that Mr. Kenkel is a difficult person to support but this is a different proposal from the March 17th proposal and that multiple questions were asked at that meeting. The Council does not normally approve additional secondary structures. Council Member Duffy stated that he would propose some amendments such as not allowing the patio to be enclosed or not allowing an additional secondary structure to be considered at a later date for this property (16148 Clayton Road). Council Member McGrath pointed out that this is an entirely different situation from the previous proposal and this is a house without a garage and just a carport. Council Member McGrath stated that he is in favor of this proposal. Council Member Pool agreed that with Council Member McGrath and agrees that this is an acceptable proposal.

Council Member Duffy moved to amend the petition such that at 16148 Clayton Road, the patio cannot be enclosed and that no additional secondary structures and be considered. Mayor Roerman asked for clarification from the City Attorney about a future application restriction. City Attorney Restovich noted that this long-term condition for the secondary structures would be recommended. Council Member Duffy withdrew his motion. Council Member Duffy proposed a new motion that would amend the petition to add the condition that the patio should not be enclosed. This motion for amendment was seconded by Council Member McGrath. The votes on the amendment were: Reel "AYE", Cahill "NAY", Pool "NAY", Duffy "AYE", Roerman "AYE", and McGrath "AYE".

Mayor Roerman moved to consider the petition request as amended, seconded by Council Member Duffy. The votes were: Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", Roerman "AYE", and McGrath "AYE".

LEGISLATION

Bill #3702, 15468 Manchester Road (Higher Ground Education), day-care facility CUP

Council Member McGrath introduced Bill #3702 for final passage, AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT TO HIGHER GROUND EDUCATION TO ALLOW THE OPERATION OF A DAY-CARE FACILITY AT THE

LOCATION KNOWN AND NUMBERED AS 15468 MANCHESTER ROAD, WITHIN THE “C-3” COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member McGrath moved for final passage of Bill #3702, seconded by Council Member Cahill.

Mayor Roemerma expressed his concerns with the traffic and safety issues for this property and is not in favor of this site for a daycare. Council Member Pool noted that this investment would updating the building and the security issues, and while no one wants to lose a long-time business, but we may not like but it is an approved use and don't understand why we are not welcoming them to the City. Mayor Roemerma noted he likes this company and its Montessori format, but believes that this is not the best location for this proposed daycare, and he would like the property owner to work with Bill's Appliance to keep them in this space or allow for the purchase of the property.

The votes on the second and final reading of Bill #3702 were: Reel “NAY”, Cahill “NAY”, Pool “AYE”, Duffy “NAY”, Roemerma “NAY”, and McGrath “NAY”. Mayor Roemerma noted other properties for the proposal.

Bill #3703, Text Amendment pertaining to chain-link fencing

Council Member Duffy introduced Bill #3703, AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 400: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF ELLISVILLE, TO REVISE REGULATIONS PERTAINING TO FENCES, AS PROVIDED HEREIN. Council Member Duffy moved for consideration and perfection of Bill #3703, seconded by Council Member McGrath.

Mayor Roemerma asked for discussion on this proposed amendment. Council Member Cahill stated that Council Member Duffy pointed out to a petitioner that 6-7 instances where homeowners changed out their chain link fencing to something different, what he did not note that 80% of those with chain link fences have not changed their fencing. Council Member Cahill feels that we are trying to keep new homeowners from an economical option for fencing and the proposed requirement for a vinyl coated chain link fence is a 30% increase over galvanized fencing. Council Member Cahill stated that he is against this change again. Council Member McGrath commented that in the proposed amendment noted that the reference to decorative fencing needs to be stricken from the bill. City Planner explained the process if the property owner does not agree with the decorative fencing consideration. Council Member McGrath requested that the decorative fencing requirements be reviewed by staff. Council Member McGrath wanted to include that garden fencing should be defined “up to six feet” and can be galvanized chain-link.

Council Member McGrath moved to amend Bill #3703, Section 4(a) to add the language to allow galvanized chain-link fences, up to six feet, for gardens and planting beds, seconded by Council Member Duffy. The votes on the amendments were: Reel “NAY”, Cahill “AYE”, Pool “NAY”, Duffy “AYE”, Roemerma “AYE”, and McGrath “AYE”.

Council Member Duffy moved to amend Bill #3703, Section 4(d) to add the word “perimeter” chain-link fences in the first line of this section. The motion was seconded by McGrath. Council Member Pool questioned what is a perimeter.

Discussion continued pertaining to the definition of a perimeter and the type of fencing that would be allowed for gardens and planting beds. There was also discussion about the “up to six feet” for the garden fencing, previous discussion noted not allowing a six-foot galvanized chain link fence and that limiting garden fencing to four-feet. It was noted that deer can clear a four-foot fence.

After this discussion, Council Member Duffy stated that he withdrew his motion and commented that this amendment needs additional review.

Mayor Roerman discussed the size of gardens in the area and Council Member McGrath noted that the garden fencing could be a percentage of the yard. It was noted that some of the larger lots have a garden area that the fencing would be not as noticeable. City Planner Hood noted that due to the different sized lots within the City the current regulations address these garden fencing on a case-by-case basis.

Council Member Reel is against putting a size on the previous amendment, some of these fences would look like a kennel and is against a 6-foot chain-link fencing. She believes that this legislation should have additional review. Council Member Pool agrees with these comments and feels that the fencing regulations is fine the way it is at this time.

Mayor Roerman moved to amend Bill #3703, Section 4(a) to add the language; “galvanized chain-link or other acceptable material fence, up to six-feet, may be allow garden areas or planting beds, with the Council’s approval”. The motion was seconded by Council Member McGrath.

Council Member McGrath questioned that this proposed bill included language that any chain-link fence must be vinyl coated and he is concerned that we are restricting residents too much. Council Member Reel is not in favor of the six-foot fence and let petitioners come to the Council with a garden fence request without a height requirement. Council Member Reel questioned the motion previously discussion and Mayor Roerman asked the City Attorney a previously approved motion could be amended. City Attorney Restovich noted that the previous amendment could be changed.

The votes on the amendment were: Reel “AYE”, Cahill “AYE”, Pool “AYE”, Duffy “AYE”, Roerman “AYE”, and McGrath “AYE”.

Council Member Reel moved that the six-foot requirement for garden fencing be removed from the previous amendment. City Attorney Restovich noted that the previous motion would need to reconsidered by the Council Member who brought the amendment forward. Discussion continued about the restrictions of up to six-foot fence and City Attorney noted that the garden fencing would still be required to be considered by the Council. Mayor Roerman noted that there were no more hands up for discussion and called for the vote on the proposed legislation, as twice amended.

The votes on the second reading, as amended were: Reel “NAY”, Cahill “NAY”, Pool “NAY”, Duffy “AYE”, Roerman “AYE”, McGrath “AYE”. The motion does not pass and the legislation is not approved.

Council Member Duffy stated that during the March 17th meeting discussion pertaining to vinyl coated chain link fencing, was information the he referred to was based on a bid for 100-feet of materials for 9-guage black vinyl coated chain link fencing from Hoover Fence Company, which is one of the largest suppliers of chain link fence. He noted that the bid was for \$996.98 for 9-

gauge black vinyl and the bid for 9-gauge galvanized fencing (same size) \$1,058.64. Council Member Duffy commented that the galvanized was more, and since he was accused of misleading the Council requested that this information be included in the minutes.

PUBLIC COMMENTS

Robert Kenkel, 16199 Clayton Hollow Lane, commented on not approving chain link fencing if it is on both sides of the property and noted that vinyl coated chain link fencing is 10-30% higher in cost than galvanized fencing.

MAYOR/COUNCIL BUSINESS/REPORTS

Mayor Roemerma also noted the General Election results and hats off to the winners. Once the certification is received from the St. Louis County Board of Elections the winning candidates will be sworn in at an upcoming meeting.

Appointment to the Economic Development Commission

Mayor Roemerma moved to approve Krystal Keltner to the Economic Development Commission, seconded by Council Member Reel. The votes were: Reel "AYE", Cahill "AYE", Pool "AYE", Duffy "AYE", Roemerma "AYE", and McGrath "AYE".

Arbor Day Proclamation

Mayor Roemerma read a proclamation declaring April 7, 2021 as Arbor Day within the City of Ellisville and requesting residents' plant and care for trees in the area. Due to the pandemic there will be no Arbor Day celebration held this year.

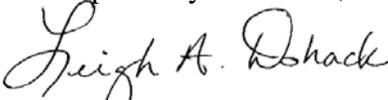
ACTIVE COMMITTEE STATUS/UDPATES

Mayor Roemerma thanked Council Member Pool for her service. Council Member Pool congratulated Curt Boggs on the General Election, as he will be filling her seat on the Council.

Council Member Reel noted that a successful Easter Egg Hunt was held at Bluebird Park.

Mayor Roemerma adjourned the meeting at 8:34 p.m.

Respectfully submitted,



LEIGH A. DOHACK
City Clerk