

**CITY OF ELLISVILLE  
COUNCIL MEETING**

**MAY 4, 2022**

Mayor Roemerma opened this Regular Meeting at 7:13 p.m. In attendance were Council Members Compton, Cahill, Sanborn, Duffy and Boggs. Council Member McGrath was excused.

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

All those in attendance recited the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Roemerma moved to approve the evening’s agenda, seconded by Council Member Duffy. The votes on the approval were all “AYES”.

**APPROVAL OF MINUTES**

Mayor Roemerma moved to approve the minutes from the April 20, 2022 Regular Council Meeting. The motion was seconded by Council Member Cahill. The votes were: Roemerma “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”.

**PUBLIC COMMENTS I**

There were no public comments.

**PETITIONS**

**Chesterfield Lions Club, special event liquor license**

Mark Van Horn was present representing the Chesterfield Lions request to seek approval to sell malt liquor by the drink at the Ellisville 4<sup>th</sup> of July celebration in Bluebird Park. Mayor Roemerma moved to approve the request as presented, seconded by Council Member Duffy. The votes were: Roemerma “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”.

**LEGISLATION**

**Ord #3514, 145 Strecker Road and 151 Strecker Road (Environmental Overlay District)**

Council Member Duffy introduced Bill #3745, AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 400: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF ELLISVILLE, MISSOURI, TO CREATE A NEW ENVIROMENTAL PROTECTION OVERLAY ZONING DISTRICT, AND APPROVING A CHANGE IN ZONING OF THE PROPERTIES KNOWN AND NUMBERED AS 145 STRECKER ROAD AND 151 STRECKER ROAD, TO ADD THE ENVIROMENTAL PROTECTION OVERLAY ZONING DISTRICT TO THE BASE ZONING DESIGNATION OF THE “R-1” SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for consideration and perfection of Bill #3745, seconded by Mayor Roemerma.

Discussion ensued pertaining to the proposed legislation and a discussion of an amendment for this legislation. Council Member Duffy moved to amend Bill #3745, seconded by Council Member Compton.

Section 400.215(F)(c) shall be amended to read as follows (with new language in bold and deletions struck through):

1. The City's third-party environmental engineer shall prepare an Environmental Impact Report ("EIR") in accordance with Section 400.160(B). In addition, the EIR shall include the results of soil and groundwater testing performed upon samples at a minimum of one location within each 100' by 100' section of the property, as measured beginning at the most southern and western point of the property line. **The City Manager, or his/her designee, shall specify the Contaminants for which to be tested, based on his/her reasonable belief as to which Contaminants are potentially present on the property.** The City Manager, or his/her designee may **also** limit the areas to be tested, ~~specify the substances for which to test,~~ or authorize an alternate testing method, including a Phase I Environmental Site Assessment and, if warranted based on the results of the Phase I assessment, a Phase II Environmental Site Assessment, if the City Manager, or his/her designee determines that such alternate testing method will effectively accomplish the objectives of this Section. The City Manager, or his/her designee may also require a Phase III Environmental Site Assessment and a Phase IV Environmental Site Assessment, if such assessment is determined to be warranted by the City Manager, based on the outcome of prior assessments. **At a minimum, the City Manager shall require that testing be performed at or near any location on a property in which there are indications that the area has been disturbed by digging, grading, or excavation activity, or that historical information about the property indicates such area has been the site of disturbance or dumping of Contaminants, unless such areas have been previously been tested and Contaminants have been found to be within acceptable levels. The City Manager, or his/her designee, may consult available environmental reports, including EPA reports and correspondence to the City from the EPA, relating to properties within the EPOZD to determine appropriate Contaminants for which to be tested, appropriate testing methods, and which areas shall be tested or not tested. An applicant may appeal such determinations as set forth in subdivision (5) of this Subsection.**
  - i. Exception.* The third-party environmental engineer is not required to perform testing within sections that the applicant demonstrates have been previously tested by the EPA and said testing showed Contaminants within acceptable levels for the proposed use of the property, unless required to do so upon request by the City Manager, City Planner, or City Engineer.
2. All costs associated with preparation of an EIR shall be borne by the applicant, **provided that the City may support an application for grant funding by the property owner or applicant.**

The votes on the amendment were: Roerman "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

The votes on the first reading of Bill #3745, as amended, were: Roemerma "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

Council Member Duffy introduced Bill #3745, as amended, for final passage, AN ORDINANCE AMENDING TITLE IV: LAND USE, CHAPTER 400: ZONING REGULATIONS, OF THE MUNICIPAL CODE OF THE CITY OF ELLISVILLE, MISSOURI, TO CREATE A NEW ENVIROMENTAL PROTECTION OVERLAY ZONING DISTRICT, AND APPROVING A CHANGE IN ZONING OF THE PROPERTIES KNOWN AND NUMBERED AS 145 STRECKER ROAD AND 151 STRECKER ROAD, TO ADD THE ENVIROMENTAL PROTECTION OVERLAY ZONING DISTRICT TO THE BASE ZONING DESIGNATION OF THE "R-1" SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for final passage of Bill #3745, as amended, seconded by Council Member Cahill. The votes on the second reading of Bill #3745, as amended, were: Roemerma "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3745 becomes ORDINANCE #3514.

Ord. #3515, Amends Municipal Code adding Section 355.140 Covering of Vehicles Permit

Council Member Compton introduced Bill #3746, AN ORDINANCE AMENDING TITLE III: TRAFFIC CODE, CHAPTER 355: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES BY THE ENACTMENT OF A NEW SECTION 355.140, REGARDING COVERING OF VEHICLES IN RESIDENTIAL AREAS BY PERMIT ONLY, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Compton moved for consideration and perfection of Bill #3746, seconded by Council Member Duffy. The votes on the first reading of Bill #3746 were: Roemerma "AYE", Compton "AYE", Cahill "NAY", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Council Member Compton introduced Bill #3746 for final passage, AN ORDINANCE AMENDING TITLE III: TRAFFIC CODE, CHAPTER 355: STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES BY THE ENACTMENT OF A NEW SECTION 355.140, REGARDING COVERING OF VEHICLES IN RESIDENTIAL AREAS BY PERMIT ONLY, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Compton moved for final passage of Bill #3746, seconded by Council Member Duffy. The votes on the second reading were: Roemerma "AYE", Compton "AYE", Cahill "NAY", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3746 becomes ORDINANCE #3515.

Ord. #3516, Municipal House and Community Development Cooperation Agreement 2021-2023

Council Member Boggs introduced Bill #3747, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ELLISVILLE, MISSOURI TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT OF 2021-2023 AND SUPPLEMENTAL AGREEMENTS THERETO WITH ST. LOUIS COUNTY, MISSOURI WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED. Council Member Boggs moved for consideration and perfection of Bill #3747, seconded by Council Member Cahill. The votes on the first reading of Bill #3746 were: Roemerma "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Council Member Boggs introduced Bill #3747 for final passage, AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF ELLISVILLE, MISSOURI TO EXECUTE THE MUNICIPAL HOUSING AND COMMUNITY DEVELOPMENT COOPERATION AGREEMENT OF 2021-2023 AND SUPPLEMENTAL AGREEMENTS

THERE TO WITH ST. LOUIS COUNTY, MISSOURI WITH REGARD TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED. Council Member Boggs moved for final passage of Bill #3747, seconded by Council Member Cahill. The votes on the second reading were: Roerman "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3747 becomes ORDINANCE #3516.

**PUBLIC COMMENTS**

There were no public comments.

**MAYOR/COUNCIL BUSINESS/REPORTS**

Board/Commission Appointments/Reappointments

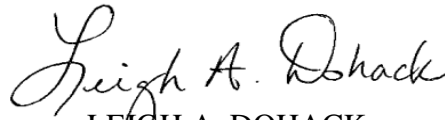
These appointments will be discussion at the next Council Meeting.

**ACTIVE COMMITTEE STATUS/UDPATES**

There were no updates.

The meeting adjourned at 7:27 p.m.

Respectfully submitted,



LEIGH A. DOHACK  
City Clerk