

**CITY OF ELLISVILLE  
COUNCIL MEETING**

**OCTOBER 6, 2021**

Due to the Covid pandemic concerns the October 6, 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 opened this Regular Meeting at 7:48 p.m. In attendance were Council Members McGrath, Compton, Cahill, Reel, Duffy, and Boggs.

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

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

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

Mayor Roemerman moved to approve the minutes from the September 15, 2021 Regular Council Meeting. The motion was seconded by Council Member Duffy. The votes were: Duffy "AYE", Boggs "AYE", Roemerman "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", and Reel "AYE".

**PUBLIC COMMENTS I**

Marilyn Niebling, 531 Triton Way, noted her concerns with the recurring problem of the Council starting the Work and Regular meeting on time, asking that the Council be respectful of the participants.

**PETITIONS**

40 Old State Road (Clancy's Irish Pub), outdoor live music waiver

Petition of Olivia Clancy for a waiver to the Outdoor Dining Regulations to allow outdoor live music at Clancy's Irish Pub located at 40 Old State Road within the M-1 Light Industrial Zoning District.

Mayor Roemerman moved to approve the petition, seconded by Council Member Compton. Olivia Clancy participated in the Zoom meeting to answer questions from the Council and described that requested live music would only take place Monday – Friday, as the restaurant is not open on weekend. Mrs. Clancy stated that there may be an occasional special private event at the restaurant on Saturdays and also stated the live music would most likely consist of a three-piece acoustic band. Discussion continued about allowing music every night. Council Member Duffy moved to amend the petition to allow live music only on Friday and Saturday evenings, seconded by Council

Member Reel. The votes on the amendment to the request were: Duffy “AYE”, Boggs “AYE”, Roemerma n “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”.

The votes on the petition to allow the waiver, as amended, were: Duffy “AYE”, Boggs “AYE”, Roemerma n “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”.

342 Hutchinson Road (Bryon and Joy Silinsky), chain link fence variance

Petition from Bryon and Joy Silinsky for City Council consideration and approval allowing a new four-foot (4’) high chain link fence at 342 Hutchinson Road within the R-1 Single Family Residential Zoning District.

Bryon Silinsky participated in the meeting to answer questions pertaining to the petition request. Mr. Silinsky explained that he and his family recently moved to the City of Ellisville and noted that the expense of another style of fence was out of the budget. Council Member Duffy noted that a previous resident requested chain-link fencing and was denied, then follow the code and installed an approved fence. Council Member Duffy noted he would not support the petition. Council Member Cahill stated that he was in favor of allowing the chain link fence. Mayor Roemerma n asked if vinyl coated chain link fencing would be an option. Mr. Silinsky stated that coated fencing would be possible, noting that the galvanized fence posts are already in place. Discussion continued on the placement of the fence at the property line. Council Member Duffy wanted to point out to the Council that this was an unpermitted action that caused some calls to City Hall and it is using material that is not allowed through existing regulations, also the fence is 25 feet off the building line which requires a variance. Council Member Duffy said, given how the Council has previously voted, consideration should be consistent. Mayor Roemerma n moved to approve this petition with the condition that the fencing material be vinyl coated chain-link (brown, green or black in color), seconded by Council Member Cahill. Council Member Compton questioned the advantage of vinyl coated material and Mayor Roemerma n noted that this is a more appealing look for the fencing. The votes on the motion were: Duffy “NAY”, Boggs “NAY”, Roemerma n “AYE”, McGrath “NAY”, Compton “AYE”, Cahill “AYE”, and Reel “NAY”. The petition request was not approved.

**LEGISLATION**

Ord. #3491, Internet Use Tax – Ballot Language for April 5, 2022 General Election

Mayor Roemerma n introduced Bill #3722, AN ORDINANCE OF THE CITY OF ELLISVILLE, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE EQUAL TO THE TOTAL LOCAL SALES TAX IN EFFECT FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTION 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY OF ELLISVILLE FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED TO BE HELD IN THE CITY ON APRIL 5, 2022. Mayor Roemerma n moved for consideration and perfection of Bill #3722, seconded by Council Member Duffy.

Discussion continued on this matter and it was explained that this will give residents of the City of Ellisville an opportunity to consider voting on whether or not to impose a use tax for general revenue purposes during the April 5, 2022 General Election, this would applied to purchase made from out-of-state vendors.

The votes on the first reading were: Duffy “AYE”, Boggs “AYE”, Roerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”. Mayor Roerman introduced Bill #3722 for final passage, AN ORDINANCE OF THE CITY OF ELLISVILLE, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE EQUAL TO THE TOTAL LOCAL SALES TAX IN EFFECT FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTION 144.600 THROUGH 144.761 RSMO; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY OF ELLISVILLE FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED TO BE HELD IN THE CITY ON APRIL 5, 2022. Mayor Roerman moved for final passage of Bill #3722, seconded by Council Member Cahill. The votes on the second reading were: Duffy “AYE”, Boggs “AYE”, Roerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”. Bill #3722 becomes ORDINANCE #3491.

#### Ord. #3492, Amends the City’s Fiscal 2021 Budget

Council Member Duffy introduced Bill #3723, AN ORDINANCE AMENDING ORDINANCE #3469, THE CITY’S FISCAL 2021 BUDGET. Council Member Duffy moved for consideration and perfection of Bill #3722, seconded by Council Member McGrath. The votes on the first reading of Bill #3722 were: Duffy “AYE”, Boggs “AYE”, Roerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”. Council Member Duffy introduced Bill #3723 for final passage, AN ORDINANCE AMENDING ORDINANCE #3469, THE CITY’S FISCAL 2021 BUDGET. Council Member Duffy moved for final passage of Bill #3722, seconded by Council Member Reel. The votes on the second reading were: Duffy “AYE”, Boggs “AYE”, Roerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”. Bill #3723 becomes ORDINANCE #3492.

### **PUBLIC COMMENTS**

There were no public comments.

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

#### Appointment to Park Advisory Board

Mayor Roerman moved to appoint John Powell to the Park Advisory Board. The motion was seconded by Council Member Duffy. The votes on the motion were: Duffy “AYE”, Boggs “AYE”, Roerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, and Reel “AYE”.

Appointment to the Shawneetown Acres Community Improvement District

Mayor Roemer moved to appoint S. Cody Reinberg, Jason Reinberg and Greg Reinberg to the Board of Directors for the Shawneetown Acres Community Improvement District with terms expiring August 1, 2024. The motion was seconded by Council Member Reel. The votes on the motion were: Duffy "AYE", Boggs "AYE", Roemer "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", and Reel "AYE".

**ACTIVE COMMITTEE STATUS/UDPATES**

Council Member Reel noted that the "Behind the Lens" Photography Contact will be going on November 7-12, 2021 at Bluebird Park.

It was also noted that "Hot Dog It's Chili" will be October 15, 2021 at Bluebird Park.

Mayor Roemer adjourned the meeting at 8:41 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Leigh A. Dohack".

LEIGH A. DOHACK  
City Clerk