



WILDWOOD®

CITY OF WILDWOOD
JUNE 13, 2016 RECORD OF PROCEEDINGS

CITY OF WILDWOOD
MEETING OF CITY COUNCIL
WILDWOOD CITY HALL
16860 MAIN STREET
WILDWOOD, MO 63040

The meeting was called to order at 7:35 P.M.

A roll call was taken with the following results:

Present at Roll Call:

Mayor Jim Bowlin
Council Member Glen DeHart
Council Member Ed Marshall
Council Member Ray Manton
Council Member Jim Baugus
Council Member Sue Cullinane
Council Member Katie Dodwell
Council Member Marc Cox
Council Member Debra McCutchen
Council Member Jerry Porter
Council Member Greg Alexander
Council Member Greg Stine
Council Member Jeff Levitt
Council Member Larry Goodson

Absent:

Council Member Larry McGowen
Council Member Dave Bertolino
Council Member Joe Garritano

A quorum was present

Also present:

Mr. Ryan Thomas, City Administrator
Mr. John Young, City Attorney
Mr. Joe Vujnich, Director of Planning and Parks
Mr. Rick Brown, Director of Public Works
Ms. Laura Rehtin, Deputy City Clerk

PLEDGE OF ALLEGIANCE

Mayor Bowlin led the Pledge of Allegiance.

APPROVAL OF MINUTES

The minutes of the May 23, 2016, City Council meeting were submitted for approval. A motion was made by Council Member Baugus, seconded by Council Member Alexander, to approve the minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

MAYOR APPOINTMENTS/ANNOUNCEMENTS

Architectural Review Board Alternate Reappointment – Andrew Lindberg (Ward Eight) – Two Year Term

Mayor Bowlin asked the City Council to approve his recommendation to re-appoint Mr. Andrew Lindberg to the Architectural Review Board as an Alternate. A motion was made by Council Member Baugus, seconded by Council Member Marshall, to approve the Mayor's recommendation to re-appoint Mr. Andrew Lindberg to the Architectural Review Board. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Board of Public Safety Reappointment – John Bradley (Ward Seven) – Three Year Term

Mayor Bowlin asked the City Council to approve his recommendation to re-appoint Mr. John Bradley to the Board of Public Safety. A motion was made by Council Member Stine, seconded by Council Member Levitt, to approve the Mayor's recommendation to re-appoint Mr. John Bradley to the Board of Public Safety. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Recognition of Kevin Liddy, Former Planning & Zoning Commissioner (Ward Two)

Mayor Bowlin presented a plaque to Mr. Kevin Liddy and thanked him for his years of service to the city of Wildwood.

PUBLIC PARTICIPATION

Mr. Dan Topik, 1576 Englebrook Drive, state he was disappointed that the motion for the ad hoc committee for the Ellisville Superfund Site failed. Mr. Topik stated we cannot count on the EPA to do anything. Mr. Topik shared his thoughts and concerns regarding the Ellisville Superfund Site.

Ms. Victoria Allen, 1651 Idle Rock Farm Rd, spoke regarding her concerns with the contamination from the Callahan site and her concerns about the delisting of the property by the EPA. Ms. Allen stated the city needs to make sure this site does not get developed.

Ms. Barbara Sprenger, 84 Strecker Road, stated the immediate issue is the proposed delisting of the Callahan site. Ms. Sprenger shared facts regarding the site and its contamination. Ms. Sprenger stated the Callahan site has not been fully assessed and not fully cleaned up.

Ms. Mary Morton, 211 Strecker Farms Court, thanked Council Member Stine for his thought on an ad hoc committee. Ms. Morton stated she felt a committee would help Council have a better understanding of the issues and the data. Ms. Morton stated it was all science and factual based and there was proven contamination and areas they have never been looked at.

Ms. Laurie Taylor, 2000 Sundowner Ridge Drive, stated she was held up by the C.U.P. requirement for the lake she would like to put on her property. Ms. Taylor asked the City Council to drop the restriction so she could start building. Ms. Taylor stated she would like to proceed with the project without the C.U.P. Ms. Taylor stated she had stones she could donate for the Essen Log cabin.

Dr. John Gragnani, 1510 Scofield, spoke regarding Senate Bill 788 and the pool sales tax. Dr. Gragnani suggested the City Council should write Governor Nixon and ask him to veto the Bill. Dr. Gragnani also stated he felt the Council should not support Senator Schatz. Dr. Gragnani stated the city should proceed quickly with the economic development plan but not compromise the principals of the city.

PUBLIC HEARING(S)

(Postponed at the January 11, 2016 City Council Meeting – to remain postponed)

A response to a communication from Jenny Mitchell, Director of Property Management for the Desco Group, which is dated October 20, 2015, regarding St. Louis County's P.C. 219-85 Alfred L. Hicks and J.L. Mason of Missouri, Inc.; Amended MXD Mixed-Use Development District; south side of Manchester Road, east of Old Fairway Drive (Street Address: 16506 Manchester Road/Locator Number: 23U120480); seeking modifications to an existing site-specific ordinance that governs the Schnucks Wildwood Crossing Center to allow for a third freestanding monument sign along the property's Manchester Road frontage. (Ward – Seven)

(Postponed at the May 23, 2016 City Council Meeting – to remain postponed until June 27, 2016 City Council Meeting)

P.Z. 19-15 1971 Pond Road, Payne Family Homes L.L.C., 10407 Baur Boulevard, Suite B, St. Louis, Missouri, 63132 – A request for the application of a Planned Residential Development Overlay District (PRD), within the NU Non-Urban Residence District for a 78.0 acre tract of land that is located on the north side of State Route 100, west of Pond Road (Locator Number: 23W520053/Street Address: 1971 Pond Road). Proposed Use: A total of twenty-six (26) individual lots, with common ground, and required public space areas. Lots would range in size from one (1) acre to four and one-half (4.5) acres. (Ward – One)

A request for Development Finance Incentives for roadway and related infrastructure improvement costs in association with P.Z. 25, 26, and 26a – 14 Main Street Crossing, Payne Family Homes L.L.C., c/o Tom Cummings, 10407 Baur Boulevard, Suite B, St. Louis, Missouri 63132, which involves a tract of land being located on the east side of State Route 109, south of State Route 100 (Locator Number: 23V120094/Street Address: 2461 Eatherton Road), which is currently proposed for a total of one hundred four (104) detached single-family dwellings (Town Center Building Type – House), with common ground, and required public space areas. The current request involves the use of Traffic Generation Assessments to partially fund the construction of Main Street and improvements to State Route 109. No City tax revenue is proposed to be utilized to support the request. (Ward – Eight)

Mayor Bowlin opened the public hearing. Deputy City Clerk Rehtin read the public hearing into the record.

City Administrator Thomas stated the city's Development Finance Group (DFG) reviewed the matter and presented a recommendation to the City Council. City Administrator Thomas stated the recommendation had two parts: the Highway 109 roundabout and the Main Street Improvements. City Administrator Thomas reviewed the recommendation from the DFG regarding those two items.

Mr. Tom Cummings, 10407 Baur Blvd, Payne Family Homes, thanked everyone who helped reach this recommendation. Mr. Cummings stated they were supportive of the DFG's recommendation and would support a motion to send this to the Planning and Zoning Commission.

Discussion was held regarding the following: what happens if Federal funding is not received and the roundabout is not constructed; Payne will have to proceed with knowing they would only have the right-in/right-out option; so we would be using TGA funds from other planned developments; concerned that if we allocate all of this money to Payne we won't have funds for other projects; the use of the funds would have to be prioritized; the \$200,000 figure is a future reimbursement to Payne when the commercial outlots develop; instead of the city collecting TGA funds from the commercial outlots, they will pay that to Payne; there is a lot of work still to be done with the Planning and Zoning Commission to try and achieve the savings we discussed with the DFG; does Payne have options on the Slavik property and another property off Highway 109, yes.

A motion was made by Council Member Baugus, seconded by Council Member Goodson, to forward the request and recommendation to the Planning and Zoning Commission.

A roll call vote was taken with the following results:

Ayes –DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared the motion passed.

There being nothing further, Mayor Bowlin closed the public hearing.

P.Z. 2-16 City of Wildwood Planning and Zoning Commission c/o Department of Planning, 16860 Main Street, Wildwood, Missouri – A request to review and consider the addition of residential land uses as permitted activities within the ‘Downtown and Workplace Districts’ designation under the ‘Regulating Plan’ of the City’s Town Center Plan. Currently, these two (2) land use designations do not allow residential uses, whether single family or multiple family types. Recently, a number of inquiries have been made about this change. (Wards – One, Four, Five, Seven, and Eight)

Mayor Bowlin opened the public hearing. Deputy City Clerk Rehtin read the public hearing into the record.

Director of Planning and Parks Vujnich reviewed the request. Director of Planning and Parks Vujnich stated the Planning and Zoning Commission is not recommending the blanket allowance for residential activities in the Town Center Area’s “Downtown and Workplace” District designations, but rather an acknowledgement that where conditions are appropriate, the more suitable approach would be to consider land use designation changes to the Town Center Plan’s Regulating Plan. Director of Planning and Parks Vujnich stated the Commission is not making any changes to the permitted land uses in the “Downtown and Workplace” District designations of the Regulating Plan of the Town Center Plan.

Mr. Paul Langdon, 135 N. Meramec Station, stated they were one of the parties interested in constructing a multi-family development. Mr. Langdon stated they had developed them in other communities and the projects were successful. Mr. Langdon stated they felt their project would bring an energy to the downtown area.

Discussion was held regarding the following: the City Council is not obligated to take any action on this matter at this time; we have always done a Resolution when it relates to Town Center; either way, the denial from Planning and Zoning Commission is clear; the Planning and Zoning Commission’s recommendation is to not change anything; so if Council does nothing then they support the report; a Resolution would acknowledge your endorsement of the recommendation; if the Council wants to allow Residential, it would have to be referred back to the Planning and Zoning Commission; could the developer come back and request a change; it would be a Regulating Plan change first and then a rezoning of the property; the Regulating Plan change would go to the Planning and Zoning Commission and the Comprehensive Zoning change would require a super majority of the Council; does this include all of Manchester or just Pond and Grover; it is almost all of the Old Manchester Road corridor.

A motion was made by Council Member Baugus, seconded by Council Member Manton, to authorize the Department of Planning to prepare a Resolution endorsing and ratifying the recommendation for denial as acted upon by the Planning and Zoning Commission.

A roll call vote was taken with the following results:

Ayes –DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, Alexander and Stine

Nays – Levitt and Goodson

Absent – McGowen, Bertolino and Garritano

Abstain – McCutchen and Porter

Whereupon Mayor Bowlin declared the motion passed.

There being nothing further, Mayor Bowlin closed the public hearing.

UNFINISHED BUSINESS

AMENDED BILL #2183 AN ORDINANCE AMENDING SECTION 110.120 OF THE CITY OF WILDWOOD, MISSOURI MUNICIPAL CODE. Recommended by the Administration/Public Works Committee, Amendment recommended by City Attorney (Second Reading) (Wards – All)

A motion was made by Council Member Dodwell, seconded by Council Member Cullinane, for the second reading of Amended Bill #2183. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Amended Bill #2183 was read for the second time by title only.

A roll call vote was taken for passage and approval of Amended Bill #2183 with the following results:

Ayes – DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared Amended Bill #2183 approved, passed and it became **ORDINANCE #2183**.

NEW BUSINESS

BILL #2188 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING PLANNED RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT ORDINANCE #2080 TO ALLOW FRONT-ENTRY GARAGE DESIGNS. Recommended by the Planning and Zoning Commission (First Reading) (Ward – Eight)

A motion was made by Council Member Goodson, seconded by Council Member Levitt, for the first reading of Bill #2188. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2188 was read for the first time by title only.

BILL #2189 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE AN AGREEMENT BY AND AMONG THE CITY OF ELLISVILLE, MISSOURI, THE CITY OF WILDWOOD, MISSOURI, AND ST. LOUIS COUNTY, MISSOURI, RELATING TO DESIGN SERVICES FOR IMPROVEMENTS TO OLD STATE ROAD. Recommended by the Administration/Public Works Committee (First Reading) (Wards – Seven and Eight)

A motion was made by Council Member Levitt, seconded by Council Member Stine, for the first reading of Bill #2189. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2189 was read for the first time by title only.

BILL #2190 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A CONTRACT WITH HR GREEN, INC., FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE PLANNING, DESIGN AND CONSTRUCTION OF THE ROUTE 109 PEDESTRIAN TUNNEL PROJECT. Recommended by the Administration/Public Works Committee (First Reading) (Wards – One and Eight)

A motion was made by Council Member DeHart, seconded by Council Member Manton, for the first reading of Bill #2190. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2190 was read for the first time by title only.

BILL #2191 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AMENDING CHAPTER 390 TRAFFIC SCHEDULES BY ADDING AN ALL-WAY STOP REGULATION AT THE INTERSECTION OF DARTMOUTH CROSSING DRIVE WITH DARTMOUTH CROSSING COURT AND DARTMOUTH BEND DRIVE. Recommended by the Board of Public Safety (First Reading) (Ward – Five)

A motion was made by Council Member McCutchen, seconded by Council Member Alexander, for the first reading of Bill #2191. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2191 was read for the first time by title only.

BILL #2192 AN ORDINANCE AUTHORIZING THE ADJUSTMENT OF A CERTAIN COMMON BOUNDARY LINE BETWEEN TWO (2) TRACTS OF LAND, TOTALING 3.772 ACRES OF AREA, BEING ALL OF LOT 5C OF "RESUBDIVISION OF ADJUSTED LOT 5 OF WEST PALISADES" [PLAT BOOK 310, PAGE 11] AND ALL OF ADJUSTED LOT D OF "WEST PALISADES LOT 5 AND WEST PALISADES ON THE MERAMEC BOUNDARY ADJUSTMENT" [PLAT BOOK 307, PAGE 80], AND LOCATED IN SECTION 20, TOWNSHIP 44 NORTH, RANGE 3 EAST, OF THE FIFTH PRINCIPLE MERIDIAN, CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI, AND BEING MORE SPECIFICALLY SITUATED ON THE WEST SIDE OF PALISADES DRIVE, SOUTH OF RIDGE ROAD, FOR THE PURPOSES OF CONSOLIDATING SAID PARCELS OF GROUND INTO A SINGLE LEGAL LOT OF RECORD. *Recommended by the Department of Planning & Parks (First Reading) (Ward – Six)*

A motion was made by Council Member Alexander, seconded by Council Member Porter, for the first reading of Bill #2192. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2192 was read for the first time by title only.

BILL #2193 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE A MEMORANDUM OF AGREEMENT WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR THE USE OF PROPERTY FOR THE DEVELOPMENT OF THE BLUFF VIEW-ROCK HOLLOW CONNECTOR TRAIL AND ON-GOING USE FOR RECREATIONAL PURPOSES. *Recommended by the Planning/Economic Development/Parks Committee (First Reading) (Ward – Six)*

A motion was made by Council Member Porter, seconded by Council Member Alexander, for the first reading of Bill #2193. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2193 was read for the first time by title only.

A motion was made by Council Member Marshall, seconded by Council Member Manton, for the second reading of Bill #2193. A roll call vote was taken with the following results:

Ayes – DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared he motion passed. Bill #2193 was read for the second time by title only.

A roll call vote was taken for passage and approval of Bill #2193 with the following results:

Ayes – DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared Bill #2193 approved, passed and it became **ORDINANCE #2193**.

BILL #2194 AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING THE MAYOR OF THE CITY TO NEGOTIATE AND EXECUTE AN AMENDED CONTRACT WITH THE MISSOURI AMERICAN WATER COMPANY FOR THE RELOCATION OF A WATER MAIN TO ACCOMMODATE PHASE TWO CONSTRUCTION WITHIN WILDWOOD COMMUNITY PARK. *Recommended by the Planning/Economic Development/Parks Committee (First Reading) (Ward – One)*

A motion was made by Council Member DeHart, seconded by Council Member Baugus, for the first reading of Bill #2194. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2194 was read for the first time by title only.

BILL #2195

AN ORDINANCE AUTHORIZING THE APPROVAL OF A RECORD PLAT, TRUST INDENTURE, GENERAL WARRANTY DEED, AND A DEPOSIT AGREEMENT, WITH ASSOCIATED LETTERS OF CREDIT GUARANTEEING CERTAIN REQUIRED IMPROVEMENTS, FOR A THIRTY-EIGHT (38) LOT RESIDENTIAL SUBDIVISION THAT IS LOCATED ON A TRACT OF LAND BEING ALL OF ADJUSTED PARCELS 'A' AND 'C' OF "BOUNDARY ADJUSTMENT PLAT OF THREE PARCELS OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 44 NORTH, RANGE 4 EAST" [PLAT BOOK 322, PAGES 42-43], ALL BEING LOCATED IN THE CITY OF WILDWOOD, ST. LOUIS COUNTY, MISSOURI AND, MORE SPECIFICALLY, SITUATED ON THE SOUTH SIDE OF MANCHESTER ROAD, ON THE EAST AND WEST SIDES OF CHERRY HILLS MEADOWS DRIVE, TO BE KNOWN AS "THE MANORS AT THE MEADOWS AT CHERRY HILLS SUBDIVISION." Recommended by the Department of Planning & Parks (First Reading) (Ward – Eight)

A motion was made by Council Member Goodson, seconded by Council Member Levitt, for the first reading of Bill #2195. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill #2195 was read for the first time by title only.

RESOLUTION(S) – None

OTHER

Council Member DeHart asked what the city could do to help Ms. Laurie Taylor. Mayor Bowlin stated Ms. Taylor’s request was on the Planning and Zoning Commission’s agenda for August and if their schedule permitted, they would try and move her to an earlier agenda.

Receive & File - A recommendation report of the Site Plan Subcommittee regarding P.Z. 14-98 Capital-Dierbergs Wildwood LLC; Amended C-8 Planned Commercial District; southeast corner of State Route 100 and Taylor Road; that addresses the submittal of the Amended Site Development Section Plan for the conversion of an existing parking lot area to accommodate drive-through lanes in support of a new tenant in the liner building (Outbuilding G) located at the intersection of State Route 100 and Taylor Road (St. Louis Bread Company). (Ward – Eight)

Director of Planning and Parks Vujnich stated the Site Plan Subcommittee approved the Amended Site Development Section Plan, Landscape Plan, Lighting Plan, and other related items with certain conditions that have been identified in their recommendation.

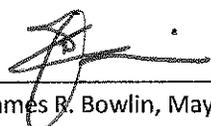
Other

Council Member Stine stated he was disappointed with the Council’s decision regarding the ad hoc committee because they have the opportunity to choose public safety but they have chosen to leave it up to the staff who don’t have time to do it and to the legal counsel which costs money. Council Member Stine stated he was ashamed and questioned why he was the only one concerned with this issue.

ADJOURNMENT

A motion was made by Council Member Marshall, seconded by Council Member Baugus, to adjourn the meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. There being no further business to come before the City Council; the meeting was adjourned at 9:22 p.m.

Approved this 27 day of JUNE, 2016.


James B. Bowlin, Mayor

ATTEST: 
Deputy City Clerk

**COUNCIL WORK SESSION MINUTES
COUNCIL CHAMBERS**

**WILDWOOD CITY HALL
16860 Main Street
City of Wildwood, Missouri 63040**

**MONDAY, JUNE 13, 2016
6:00 P.M.**

The meeting was called to order at 6:00 P.M.

A roll call was taken with the following results:

Present	Absent
Bowlin	McGowen
DeHart	Bertolino
Marshall	Garritano
Manton	
Baugus	
Cullinane	
Dodwell	
Cox	
McCutchen	
Porter	
Alexander	
Stine	
Levitt	
Goodson	

MAYOR'S COMMENTS AND ANNOUNCEMENTS – None

FOR INFORMATION

Administration/Public Works Committee

2017 Community Development Block Grant Funding (Wards – All)

Mayor Bowlin stated City Administrator Thomas provided a memorandum to the City Council and asked if anyone had any comments or questions relating to the information. City Administrator Thomas stated a public hearing would be held on the matter at the June 27, 2016 City Council meeting.

FOR ACTION

Administration/Public Works Committee

Route 109 Pedestrian Tunnel Consultant Contract (Wards – One and Eight)

Director of Public Works Brown reviewed the memorandum provided to the City Council regarding the funding and contract for the Route 109 Pedestrian Tunnel. Director of Public Works Brown stated the item was discussed and recommended by the Administration/Public Works Committee at their meeting on June 7th. Director of Public Works Brown stated Bill 2190, which authorizes the Mayor to execute an agreement for design of the Route 109 Pedestrian Tunnel, had been prepared for consideration at tonight's meeting.

Discussion was held regarding the following: there is a cap; the fee has to be under \$100,000.00; did they design the pedestrian tunnel under Pond Grover Loop; were there any other bids; can't go out and ask for bids on this; felt HR Green would be the most qualified.

Board of Public Safety

3-Way Stop Control at Dartmouth Crossing Drive / Dartmouth Crossing Court / Dartmouth Bend Drive (Ward – Five)

Director of Public Works Brown reviewed the recommendation from the Board of Public Safety. Director of Public Works Brown stated Bill 2191, which authorizes the installation of a 3-way stop at the intersection, had been prepared for consideration at tonight's meeting.

Ellisville Superfund Site – Review of Additional Correspondence Regarding the Proposed Deletion of the Callahan Subsite (Ward – Four)

Mayor Bowlin stated there was a draft letter presented to the City Council to review. Mayor Bowlin read from a letter from EPA and the report they mention in their letter. Mayor Bowlin stated the reason the city was drafting a response letter was to ask for clarification on this matter.

Discussion was held regarding the following: I think we should rephrase the letter to state that it is very likely we will receive development proposals for this site; there were issues of other contaminants that could be harmful besides lead; we don't know for a fact that there will be a development request.

A motion was made by Council Member Baugus, seconded by Council Member Dodwell, to move forward with the letter and the appropriate editorial changes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

OTHER

The following discussion was held with regard to forming an ad hoc committee for the Ellisville Superfund Site: have been largely reactive; this site may be abandoned by the EPA and there are still questions that are worrisome to me; DNR is not funded to help with anything further and the city is not prepared to do that either; need a plan and need it fast; feel like we need to reconsider our approach to this; this is hard to do in large group settings; would like to form an ad hoc committee to review all of the activity to date for this site and review the data and determine concrete actions the Council could select from; what is the goal of this Committee; how much money do we allocate to this; any good reason why we should do this; it is to figure out what options are left available to us; anything we can act upon in a timely manner; we've hired an outside consultant, we have specific legal counsel; what are you going to get out of this group; it is fair to say it's hard to keep up with all of the documentation; just looking at this closely and seeing what options are available to us; we have until August 18th when the delisting becomes effective; if the Council decides it is something they want to do, my thought is that the committee would have specific directives and a timeframe; applaud the concern but at the end of the day, the only entity that can do anything about this is the EPA; seems we would serve our purpose more effectively if we allowed the City Administrator, City Attorney, and Mayor to put pressure on our representatives; the goal

would be to get the EPA to state that this site should not be developed; what sort of community or citizen input would we have on this; would they be a part of this; what if some discussion items lead to things that should be held in closed session; those meetings could have closed session as well; is 90 days a small enough window; I don't think there is anything we can do that would convince us that it should be developed; why go through all of this; what else is there that hasn't been addressed already; important that we allow 2 non-Council members to be on the committee; why can't staff and the Mayor look into these 5 items and get back to us; especially if we are under time constraints; I don't see a disadvantage to it; modify the committee to include 2 citizens; committee would not be limited to just these items; this will come forward as a Resolution, by the time it gets approved, there won't be much time before that August date; perhaps citizens could be non-voting members of the ad hoc committee; there are federal funds through the EPA for groups to analyze reports and stuff; don't think we have time to go down that path; think we could use some fresh eyes on this project; it would be nice to get information in a form that is manageable and easy to understand; instead of a committee, can we just have staff and legal counsel put together a document that is easy to read.

A motion was made by Council Member Stine, seconded by Council Member Manton, to establish an ad hoc committee relating to the Ellisville Superfund Site in accordance with the document provided by the Mayor and to include five members of the City Council and two non-voting citizen members.

A roll call vote was taken with the following results:

Ayes – Manton, McCutchen, Stine and Levitt

Nays – DeHart, Marshall, Baugus, Cullinane, Dodwell, Porter, Alexander and Goodson

Absent – McGowen, Cox, Bertolino and Garritano

Abstain – None

Motion Failed.

EXECUTIVE [CLOSED] SESSION with regard to legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys [RSMO 610.021(1) 1994].

A motion was made by Council Member Marshall, seconded by Council Member Manton, to go into Executive Session at 6:53 p.m. with regard to legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys [RSMO 610.021(1) 1994].

A roll call vote was taken with the following results:

Ayes – Bowlin, DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Cox, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared the motion passed.

A motion was made by Council Member Levitt, seconded by Council Member Cullinane, to go out of Executive Session at 7:30 p.m. with regard to legal actions, causes of action, litigation or privileged communications between the City's representatives and its attorneys [RSMO 610.021(1) 1994].

A roll call vote was taken with the following results:

Ayes – DeHart, Marshall, Manton, Baugus, Cullinane, Dodwell, Cox, McCutchen, Porter, Alexander, Stine, Levitt and Goodson

Nays – None

Absent – McGowen, Bertolino and Garritano

Abstain – None

Whereupon Mayor Bowlin declared the motion passed.

Work Session was adjourned at 7:30 p.m.