

**CITY OF WELDON SPRING  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
MARCH 27, 2014**

**CALL TO ORDER:** The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday, March 27<sup>th</sup>, 2014 at approximately 7:30 P.M. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. The meeting was called to order by Mayor Donald Licklider.

**PLEDGE OF ALLEGIANCE:** All present stood for the Pledge of Allegiance.

**ROLL CALL AND DETERMINATION OF QUORUM:** The following Aldermen were present: Robb, Kaiser, Hillmer, Kolb, Kohrs and Baker. A quorum was declared.

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*\*\*\* Alderman Robb made a motion to go into Closed Session according to Section 610.021(1) for discussion of litigation, legal actions and/or communications from the City Attorney. Alderman Baker seconded the motion and the motion carried.  
Roll Call: Robb - yes, Baker – yes, Kaiser - yes, Kohrs - yes, Hillmer – yes and Kolb-yes  
The Board went into Closed Session at 7:30 PM.*

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The re-convened back into Open Session at 7:44 PM.

**APPROVAL OF MINUTES:**

*\*\*\* Alderman Baker moved to approve the minutes from the 03/11/14 (Regular Meeting) as submitted. Alderman Kaiser seconded the motion and the motion carried.  
Aldermen Robb and Hillmer abstained.*

**PUBLIC FORUM – CITIZENS COMMENTS:**

No one spoke.

**PUBLIC HEARING:**

A.) – CONSIDERATION OF A REZONING APPLICATION FROM AG (5 ACRE LOT SIZE) TO PR (MINIMUM 3 ACRE LOTS); AN AREA PLAN ALONG WITH A CONDITIONAL USE PERMIT TO ALLOW FOR CONVENTIONAL DEVELOPMENT WITH CONSERVATION EASEMENTS IN LIEU OF CONSERVATION DISTRICT ZONING. THE TRACT OF LAND WILL BE KNOWN AS “ANTHEM TRAIL” AND CONSISTS OF APPROXIMATELY 42.68 ACRES AND IS OWNED BY EDWARD AND KATHERINE WALSH.

**Mayor Licklider** opened the public hearing and asked if there was anyone present who wished to speak.

**Keith Hazelwood** (Attorney representing Fischer & Frichtel) addressed the public and Mayor and Board. Mr. Hazelwood quoted from the City’s Comprehensive Plan stating that Weldon Spring is a low density residential community containing wooded areas,

open fields, steep ravines and flood plains. He also said that he still had some concerns about the City's ordinance requirements regarding "public use". Several slides were displayed on an over-head and Mr. Hazelwood mentioned that if they were to proceed with AG Conventional Development, it would produce log, undesirable lots and they wished to proceed with their development in a more appealing and creative way.

**Chris DeGuentz** (Fischer & Frichtel) discussed the Area Plan and displayed how the proposed area would be laid out. He said that the proposed berm would be approximately 50' to 70' wide and 8' to 10' tall with a detailed landscaping plan. He also displayed a site cross-section of the berm in relation to the homes. Mr. DeGuentz then displayed some architects renderings of the proposed homes that were to be built on the site.

**Mr. Hazelwood** said that the developer is committed to sanitary sewers, public water and an equestrian trail. He continued by saying that he wasn't exactly sure how many acres the City wants back as so-called "public use" but asked that the Board of Aldermen authorize staff to make the amendments to the equestrian trail.

**Laura Balding** (Old Wolfrum Rd.) commended Mr. Fischer and Mr. Hazelwood on the wonderful plan that they submitted and said that she felt that it was a good approach. She continued by saying that this land has never been developed and therefore this does set the tone for any adjoining acreage. She also stated that the two choices that were presented were not the only choices and finished by saying that she does not want to be railroaded.

**Dorothy Moore** (Wolfrum Road) said that she has been very disappointed the last few years with the development that has occurred in Weldon Spring. She also mentioned that more people have horses now than ever before and the City needs to preserve the way of life that we currently have and dreamed of and envisioned. She also stated that she was concerned that if this development goes through as proposed there would be more vehicles using Wolfrum Road.

**Debbie Davis** (Patriotic Trail) read the letter that she and her husband prepared for the March Planning & Zoning meeting. She wanted to know how this proposed development was going to enhance or preserve her and her family's quality of life and she asked that the rezoning request be denied.

**Dick Shepard** (Chesterfield Lakes) said that he was the agent for the owners of the property and stated that they have worked long and hard with this City on this project and asked that the City approve the rezoning. He said that the quality and density will be preserved.

**Kurt Mollet** (W. Meath Ring) said that he has heard some wonderful comments but the development is not consistent with the zoning and putting the proposed berm where they indicate it's going to be doesn't give him a good feeling. He asked what the real intent of this development was.

The **City Clerk** (Moe Kwiatkowski) read a letter received from Steve Culver which will become part of the minutes.

**Mayor Lickliger** then closed the public hearing.

#### **TREASURER'S REPORT:**

*\*\*\* Alderman Baker moved to approve the Paid Bills for the period (02/01/14 through 02/28/14) and the Unpaid Bills for the period covering 03/01/14 through 03/31/14, as well as the February Financials. Alderman Hillmer seconded the motion and the motion*

*carried. The Board agreed and the motion carried.*

**OLD BUSINESS:**

There was “No” Old Business.

**NEW BUSINESS:**

A. – AN ORDINANCE APPROVING THE REZONING OF A PARCEL OF LAND OWNED BY EDWARD AND KATHERINE WALSH FROM AGRICULTURAL (AG) TO PLANNED RESIDENTIAL (MINIMUM 3 ACRE LOTS) TO BE KNOWN AS “ANTHEM TRAIL” AND AMENDING THE ZONING DISTRICT MAP AND THE MUNICIPAL CODE OF THE CITY OF WELDON SPRING, MISSOURI AND MATTERS RELATING THERETO - (Ald. Baker)

*\*\*\* Alderman Baker made a motion to introduce Bill 1042 for its first reading. Alderman Hillmer seconded the motion and the motion carried.*

**Alderman Baker** said that this development doesn’t really change the five acre density even though some lots might be three acres. He also raised some concern over the statement that the proposed berm was going to be 8’ to 10’ tall when actually it was only 4’ tall. He wanted to know “who” was going to maintain the landscaping on the berm.

**Mr. DeGuentz** said that the Homeowners Association would be responsible for the landscaping.

There was further discussion over whether or not the development would have public sewer, public water and natural gas.

**Mr. DeGuentz** said that they would.

**Alderman Baker** asked if the homeowners of the Enclave at Saddleback could hook into these connections as well.

**Mr. DeGuentz** said that he was not in a position to discuss that.

There was discussion over some ROW access that was being reserved for possible future purchase.

**Alderman Kolb** said that she can’t come up with 42.68 acres and wanted to know if those figures included Patriotic Trail.

**Mr. Hazelwood** said “yes” that 2.46 acres was parts of Patriotic Trail.

**Alderman Kolb** then stated that the zoning map from 1996 shows that certain property designated as RS1 was actually marked as AG because someone erroneously marked the City Zoning map wrong.

**Alderman Kohrs** offered another alternate plan which would have seven houses instead of eight and the property could be kept as AG plus one house would be located on the opposite side of the street.

**Mr. Hazelwood** said that they had discussed that possibility but there would be additional curb cuts that would be required with that plan and it was more appealing to have all eight lots on the east side of the street.

**Mr. Hazelwood** said that there were ten contingencies on the proposed ordinance for the Area Plan/Conditional Use Permit approval and he would address those at the next Board meeting.

Bill # 1042 was then tabled in accordance with City Code.

B. – AN ORDINANCE APPROVING THE AREA PLAN ZONED PLANNED RESIDENTIAL (PR) (MINIMUM 3 ACRE LOTS) FOR ANTHEM TRAIL WITH A CONDITIONAL USE PERMIT TO ALLOW FOR CONVENTIONAL DEVELOPMENT WITH CONSERVATION EASEMENTS IN LIEU OF CONSERVATION DISTRICT ZONING - (Ald. Kohrs)

*\*\*\* Alderman Kohrs made a motion to introduce Bill # 1043 for its first reading and Alderman Baker seconded the motion. The motion carried.*

*Alderman Baker said that PR is specific to a planned proposal and is at the discretion of the Board of Aldermen.*

Bill # 1042 was tabled in accordance with City Code.

D. – AN ORDINANCE OF THE CITY PROVIDING FOR THE ADOPTION AND ENFORCEMENT OF CERTAIN CODES IN ORDER TO PROVIDE FOR THE PUBLIC SAFETY AND WELFARE AND MATTERS RELATING THERETO – (2X) – (Ald Baker)

*\*\*\* Alderman Baker moved to introduce Bill # 1044 for its first reading and Alderman Kaiser seconded the motion. The motion carried.*

*\*\*\* Alderman Baker then moved to read Bill # 1044 for the second and final time at tonight's meeting. Alderman Hillmer seconded the motion and the motion carried.*

*Alderman Baker then read Bill # 1044 for the second and final time.*

*Roll Call on passage: Baker-yes, Kaiser-yes, Kohrs-yes, Hillmer-yes, Kolb-yes and Robb-yes.*

Bill # 1044 passed and became Ordinance # 14-10.

C. – AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ST. CHARLES COUNTY IN REGARD TO CODE ENFORCEMENT AND MATTERS RELATING TO THE RESPONSIBILITY OF THE PARTIES THERETO – (2X) – (Ald. Robb)

*\*\*\* Alderman Robb made a motion to introduce Bill # 1045 for its first reading and Alderman Baker seconded the motion. The motion carried.*

*\*\*\* Alderman Robb then made a motion to read Bill # 1045 for the second and final time. Alderman Baker seconded the motion. The motion carried.*

*Alderman Robb then read Bill # 1045 for the second and final time.*

*Roll Call on passage: Robb-yes, Baker-yes, Kaiser-yes, Kohrs-yes, Hillmer-yes and Kolb-yes.*

Bill # 1045 passed, becoming Ordinance # 14-11.

**REPORTS & COMMITTEES:**

**A– City Administrator:** The **City Administrator** (Michael Padella) had already distributed his report to the Board earlier.

#4. - Kolb Lake Project – Damage to Back Portion of Wolfrum Road: **Mr. Padella** said that St. Charles County is planning to begin the pavement repairs to the damaged area of the back portion of Wolfrum Road. He said that the estimated costs are projected to be around \$27,000.00 and will be taken out of the project escrow funds or billed toward the project.

**B. – City Attorney:**

**Mr. Wohler** (City Attorney) said now that the City has passed the ordinances for St. Charles County to do Code Enforcement for the City, we should get started on the house in Whitmoor that is in disrepair from the tornado and either have them fix it or tear it down as soon as possible.

**C. – Planning & Zoning Commission**

No report given.

**D. – Committee Reports**

No Committee Report was given.

**RECEIPTS & COMMUNICATIONS:**

No receipts or Communications.

**WORK SESSION:**

No Work Session was scheduled.

**ADJOURNMENT:**

*\*\*\* Alderman Kaiser moved to adjourn the meeting and Alderman Kolb seconded the motion. The motion carried.*

The meeting was adjourned at 9:35 PM

Respectfully submitted: \_\_\_\_\_

M. Kwiatkowski, MRCC

City Clerk

