

**VILLAGE OF INNSBROOK  
PLANNING AND ZONING MEETING MINUTES  
INNSBROOK VILLAGE HALL  
1835 Highway F, Innsbrook, MO 63390  
Wednesday, April 3, 2024**

**AGENDA**

- 1) CALL TO ORDER
  - 2) OPENING CEREMONY
    - a. Pledge of Allegiance
  - 3) ROLL CALL
  - 4) ADOPTION OF AGENDA
  - 5) **PUBLIC HEARING**
    - a. Amended Site Plan Application – Wags & Whiskers; 13620 State Highway M
  - 6) PUBLIC COMMENTS/GUEST SPEAKERS/PRESENTATIONS
  - 7) APPROVAL OF MINUTES
    - a. March 6, 2024 Regular Session
  - 8) COMMITTEE REPORTS
    - a. Transportation Advisory Commission (TAC)
    - b. Village Planner (Streiler Planning)
  - 9) UNFINISHED BUSINESS
  - 10) NEW BUSINESS
    - a. Amended Site Plan Application – Wags & Whiskers; 13620 State Highway M
  - 11) PUBLIC COMMENTS
  - 12) COMMISSIONER ANNOUNCEMENTS
  - 13) ADJOURNMENT
- 

**MINUTES**

The regular meeting of the Village of Innsbrook Planning and Zoning Commission was held on Wednesday, April 3, 2024, at the Village Hall, 1835 Highway F, Innsbrook, MO 63390. The meeting was called to order at 5:00 PM (CDT) with Allen Huddleston, Chairman, presiding. Mr. Huddleston stated that the focus of tonight's meeting was the Wags & Whiskers Amended Site Plan Application. The Board of Trustees Chairman Dan Reuter explained to those in attendance that Carla Ayala, the former Village Clerk had quit, and the Village was doing its best to ensure a continuity of operations, but that Zoom meetings would not be available at this time.

Upon roll call, Commissioners Bernie Cosby, Allen Huddleston, Cheri Joyce, Brandon Pfeiffer, Jerry Rust, Virgal Woolfolk, and John Simon were present, establishing a quorum. Others in attendance included Village Planner – Todd Streiler, Nathan Bruns – Hesse Graville, Dan Reuter – Chairman of the Board of Trustees, Trustee Donna West, and Trustee Mike Lyles.

**ADOPTION OF AGENDA**

Motion by Commissioner Jerry Rust, seconded by Commissioner Brandon Pfeiffer, to adopt the agenda. Chairman Huddleston yielded the floor for debate, but no debate was had. By voice vote, all Commissioners present voted "Aye". The motion passed and was approved with a 7 "Aye", 0 "Nay", 0 "Abstain" vote.

## PUBLIC HEARING

Chairman Huddleston opened the public hearing at 5:05 PM to hear public comments regarding the Amended Site Plan Application by Wags & Whiskers for their property located at 13620 State Highway M. The Commission has received the application from Wags & Whiskers along with all fees required to be in compliance with the application for amendment of their site plan. Public Notice has been published in the Warren County Record and at Village Hall. All neighboring property owners have been notified of this public hearing by Certified Mail. There were twenty speakers in attendance to discuss the application in addition to numerous other attendees who did not speak.

- Les Kauble voiced his concern with the Wags & Whiskers project and asked the Board to not approve the project. Mr. Kauble accused the Board of corruption and accused Commissioner Joyce of having a conflict of interest with the Wags & Whiskers project.
- Steve Gissy asked the Board to vote based upon the presented facts. Mr. Gissy explained that over six hundred (600) people had signed Petitions in support of the Wags & Whiskers project and asked the Commission to put the acrimony behind us.
  - Chairman Huddleston responded to Mr. Gissy's comments by stating that the Petitions in support of Wags & Whiskers had been received into the record.
- Father Bob Samson also spoke about the Petitions in support of Wags & Whiskers, the fact that property owners supported Wags & Whiskers, and his support for the project. Father Samson raised a question regarding the use of tax money to fund legal work in opposition to Wags & Whiskers
  - Village Attorney Nathan K. Bruns responded to Father Samson's comments by explaining the role of the Village Attorney was to advise the Village and its officials, and that the Village Attorney was paid by the Village for these services.
  - Chairman Huddleston commented that the Village had never approved a lagoon.
- Tracy Muse identified himself as the property owner across the street from Wags & Whiskers and stated that he was adamantly against the lagoon in the front yard. Mr. Muse explained his issues with the Village allowing a lagoon so close to the roadway.
- Tom DeBenedett shared his experience regarding an apartment complex that was developed near him when he lived in St. Louis County. Mr. DeBenedett recognized everyone was trying to look out for the Village, but that the Village's officials had turned this into a fight and delayed the project.
- Robin Woll explained that he is excited for the Wags & Whiskers animal shelter to be completed and asked the Board why this would not be allowed.
- Denise Chachere spoke about the need for a stray rescue facility and explained that Wags & Whiskers would fulfill this much needed community service.
- Penny McClain discussed the financials associated with Wags & Whiskers project and how other systems would incur high costs for Wags & Whiskers. Ms. McClain spoke in favor of the project.
- Ted Sator explained that he was a former trustee of the Board for the Village and that he was in support of the project. Mr. Sator read a letter from C&C Boat Storage, the property owners for the property immediately west of the Wags & Whiskers property, which was also in support of the Village approving the Wags & Whiskers project.
- Taylor Erb (13260 State Hwy M) stated that the Village had continually placed roadblocks in front of Wags & Whiskers and that they had continued to delay this project. Ms. Erb encouraged the Commission to approve the project as submitted.
- Pete Snyder started by identifying his long career as a scientist and then explained how lagoons are the safest and most efficient way to treat waste. Mr. Snyder encouraged the Commission to look at the scientific facts and vote in favor of the project.
- Tracy Sator (154 Geneva Cove Drive) explained that following the award of the Special Use Permit, the Village had provided no guidance on how to proceed. Ms. Sator explained that there were no regulations which prevented the lagoon, and that the Village had no sewer system that Wags & Whiskers could tie into.

- Mike Wally (2530 Alpine Trails) identified himself as a former member of the Planning Commission. Mr. Wally stated that he was previously a vocal opponent of Wags & Whiskers but changed his mind and decided to support the project after reviewing the facts and becoming more involved in the project. Mr. Wally encouraged the Commission to consider the facts, including the fact that the Missouri Department of Natural Resources (“DNR”), the expert on this, had approved the use of the lagoon for the Wags & Whiskers property.
- Mark Graham stated that he supports Wags & Whiskers. Mr. Graham acknowledged that there had been a change in plans but that the DNR had approved the lagoon. Mr. Graham asked the Commission to approve the Amended Site Plan.
- Joe R. Hauser, Jr. (4 Hill Trail Court) explained that he had extensive experience with water treatment plants and that he had worked for the City of St. Peters. Mr. Hauser explained that there were other commercial septic lagoons and that based on soil samples and other factors, this was the best type of system. Mr. Hauser further stated the DNR approved this project.
- Michael Bohn explained that that approval of the Amended Site Plan would not create a precedent and that the Village could change its ordinances to prevent future lagoons. Mr. Bohn identified a letter that had been sent to the Commissioners regarding the Wags & Whiskers project. Mr. Bohn asked the Commission to approve the project.
  - Chairman Huddleston acknowledged receipt of the letter.
- Kathy Canton (42 Lionshead) identified the paper Petition which had been signed by numerous property owners and residents in the Village in support of the Wags & Whiskers project. Similarly, Ms. Canton identified the digital Petition that had also been provided to the Commissioners. Ms. Canton explained that they had received all necessary approvals from the DNR.
- Pat Harper stated that he is a longtime resident of the Village and that there is a need for an animal shelter. Mr. Harper indicated that he was in support of the Wags & Whiskers project.
- Nathan K. Bruns (Village Attorney) asked the Chairman to incorporate into the record the Notice that was published in the Warren County Record, the Village’s ordinances, and State statutes.
- Mike Canton (Wags & Whiskers Representative) stated that he was there to speak on behalf of Wags & Whiskers. He asked the Commission to approve the Wags & Whiskers Amended Site Plan based on everything they had heard and the facts that had been presented.
- Sarah Davis (Wags & Whiskers Legal Counsel) stated that the record had been established today for the Commission’s consideration of the Wags & Whiskers application. Ms. Davis identified various factors outlined in the Village’s ordinances regarding what the Commission was to consider in approving the Amended Site Plan. Ms. Davis identified relevant facts including the location of the lagoon and well, how the Amended Site Plan would not be detrimental to the public welfare, safety, health, how there would not be injury to other properties, how the project would not impede development, and how there was no criteria that did not support the Commission approving the project. Ms. Davis encouraged the Commission to approve the project.
  - The Wags & Whiskers engineer briefly spoke regarding how the drip system was not viable for the property due to soil conditions and the location of the building on the site.

The public hearing was closed.

#### PUBLIC COMMENTS/GUEST SPEAKERS

None at this time.

#### APPROVAL OF MINUTES

The Commission did not take action on this as the Village was without a clerk.

#### CHAIRMAN'S REPORT AND APPOINTMENTS

A motion was made, and seconded, to appoint Commissioner Bernie Cosby as Secretary. Chairman Huddleston yielded the floor for debate, but no debate was had. By voice vote, all Commissioners present voted "Aye", except Commissioner Cosby who abstained. The motion passed and was approved with a 6 "Aye", 0 "Nay", 1 "Abstain" vote.

A motion was made, and seconded, to appoint Chairman Allen Huddleston as Chairman. Chairman Huddleston yielded the floor for debate, but no debate was had. By voice vote, all Commissioners present voted "Aye", except Chairman Huddleston who abstained. The motion passed and was approved with a 6 "Aye", 0 "Nay", 1 "Abstain" vote.

#### COMMITTEE REPORTS

- a. Transportation Advisory Commission (TAC) – The Commission received an update regarding the status of MODOT Improvements to Interstate 70 changes to other MODOT roadways including stop signs at highway OO. Commissioner Woolfolk stated that he met with the Booneslick Regional Planning Commission to discuss money that would be available to the Village.
- b. Village Planner (Streiler Planning) – Mr. Streiler explained that the Village was entering the public engagement phase of the comprehensive plan update and encouraged those in attendance to get involved in the comprehensive plan update process.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

- a. Amended Site Plan Application – Wags & Whiskers; 13620 State Highway M - Village Attorney Nathan Bruns began by explaining the process and how the Planning Commission would take a vote to provide a recommendation to the Board of Trustees regarding the Amended Site Plan Application. Mr. Bruns further stated the Board's recommendation would then go to the Trustees for a final vote. Discussion ensued into the Amended Site Plan for Wags & Whiskers. Commissioner Joyce asked whether they were considering the old site plan or whether this was just about the new site plan. Mr. Bruns clarified that they were making a recommendation based on the application presented. The Commissioners discussed the location of the well and lagoon as well as the distance of the same from other wells and septic systems. Mr. Kauble spoke from the audience about how the Commission should not consider this petition and that he there would be litigation if the Commission approved the lagoon. Mr. Kauble was advised that this was not the time for public comment. The Commission returned to their discussion. Mr. Streiler explained that the Village had been diligently reviewing the plans and submittals. Mr. Streiler referenced the communications from the DNR, the various distance issues for the well and lagoon, as well as the fact the Village had originally approved what Wags & Whiskers requested when they submitted their Original Site Plan. Discussion ensued into the Village's process and Wags & Whiskers concerns regarding the process. Commissioner Woolfolk then discussed Wags & Whiskers obtaining a variance. Mr. Bruns explained that a variance was a separate process and that the Commission was here to consider the pending Amended Site Plan application. Mr. Huddleston stated that lagoons were not found in commercially zoned properties and should not be permitted. Commissioner Joyce stated that the Wags & Whiskers Amended Site Plan was approved by the authorities on this issue, the DNR. Discussion ensued into the potential for a future sewer system to serve this area of the Village. Commissioner Joyce discussed how the Village could update its ordinances to prevent future commercial lagoons. Wags & Whiskers' engineer explained the issue with using a tank that would need to be pumped regularly. Discussion ensued into holding tanks versus a lagoon, the failure rate of such systems, and financial concerns regarding the use of holding

tank systems. The Commission discussed Wags & Whiskers getting a variance to the location of their proposed well to not impact development on the adjacent property.

Chairman Huddleston asked the Village Attorney whether they could make a motion with conditions. Mr. Bruns explained how they could recommend approval with conditions. Commissioner Joyce made a motion to approve the Amended Site Plan as submitted, which was seconded by Commissioner Rust. Chairman Huddleston yielded the floor for debate, but no debate was had. By roll call vote, Commissioner Cosby – “Nay”, Commissioner Joyce “Aye”, Commissioner Pfeiffer – “Nay”, Commissioner Rust – “Nay”, Commissioner Simon – “Aye”, Commissioner Woolfolk – “Aye”, Chairman Huddleston – “Nay”. Commissioner Huddleston declared the motion failed with a 3 “Aye”, 4 “Nay”, 0 “Abstain” vote. A brief discussion ensued into whether a second motion could be made. Mr. Bruns clarified that they could make further motions consistent with the rules of procedure. Commissioner Joyce made a motion to approve the Amended Site Plan with two conditions: (1) Wags & Whiskers shall connect to a public wastewater collection system within twelve (12) months of said system being installed (the lagoon shall then be eliminated in accordance with the applicable requirements); and (2) Wags & Whiskers shall obtain a variance/waiver from the DNR regarding the separation requirements between their proposed well and the proposed septic field proposed for the Village Hall, which was seconded by Commissioner Woolfolk. Chairman Huddleston yielded the floor for debate. Chairman Huddleston asked the Commission to take more time to deliberate on the pending motion as the Commission had already made a recommendation that the Board of Trustees could act on. Chairman Huddleston further stated that he did not want to rush consideration of this issue as the Commission had previously been very deliberate in its consideration of this project. Members of the Commission indicated they were ready to take a vote. Chairman Huddleston proceeded with the vote when no further debate was had. By roll call vote, Commissioner Cosby – “Nay”, Commissioner Joyce “Aye”, Commissioner Pfeiffer – “Aye”, Commissioner Rust – “Nay”, Commissioner Simon – “Aye”, Commissioner Woolfolk – “Aye”, Chairman Huddleston – “Nay”. Commissioner Huddleston declared the motion passed with a 4 “Aye”, 3 “Nay”, 0 “Abstain” vote.

#### PUBLIC COMMENT

There were no public comments.

#### COMMISSIONER ANNOUNCEMENTS

There were no commissioner announcements.

#### ADJOURNMENT

A motion was made, and seconded, to adjourn the meeting. The meeting was adjourned at 7:25 PM (CDT).