



VILLAGE OF INNSBROOK BOARD OF TRUSTEES MEETING MINUTES

Innsbrook Village Hall
1835 Highway F, Innsbrook, MO 63390
Tuesday, May 11, 2021, 5:00 PM

AGENDA

- 1) CALL TO ORDER
- 2) OPENING CEREMONY
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA
- 5) APPROVAL OF MINUTES:
 - a. Regular Meeting: April 13, 2021
- 6) PUBLIC COMMENT (Comments emailed to Village Administrator will be read at this time.)
 - a. Liability for Private Dams
- 7) COMMUNICATIONS/PETITIONS/PRESENTATIONS
- 8) BOARD OF TRUSTEES COMMENTS
- 9) CHAIRMAN'S COMMENTS, REPORTS, APPOINTMENTS
- 10) DEPARTMENT REPORTS:
 - a. Financial Reports - April 2021
 - i. Bills of The Month
 - ii. Missouri LAGERS Cost Study
 - b. Administrator's Report
 - c. Planning & Zoning Commission
- 11) UNFINISHED BUSINESS:
 - a. **BILL NO. 284 - AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI ESTABLISHING A PROCEDURE TO REGULATE SHORT TERM RENTALS WITHIN THE VILLAGE OF INNSBROOK.**
- 12) NEW BUSINESS:
 - a. Request for Exemption For Special Community Event Noise:
 - i. Edwin Libby/Brilliant Skies LLC - 13604 State Hwy M; 8:30-10:30pm (07/24/2021)
 - b. 2021-2022 Fiscal Year Budget - Draft
 - c. Set Public Hearing for 2021-2022 Fiscal Year Budget on June 8, 2021
 - d. **BILL NO. 296 - AN ORDINANCE APPROVING THE REPLAT OF INNSBROOK ESTATES PLAT 68 LOT CONSOLIDATION PLAT OF LOTS 2459 AND 2460 FOR THE DEVELOPMENT OF ONE (1) SINGLE FAMILY RESIDENTIAL SITE. (ORD 292)**
 - e. **BILL NO. 297 - AN ORDINANCE APPROVING INNSBROOK ESTATES PLAT TWENTY BOUNDARY ADJUSTMENT PLAT OF LOTS 467 AND 469 FOR THE DEVELOPMENT OF TWO (2) SINGLE FAMILY RESIDENTIAL SITES. (ORD 293)**
- 13) EXECUTIVE SESSION - REAL ESTATE [Pursuant to Section 610.021(2), RSMo.]
- 14) EXECUTIVE SESSION - LEGAL COUNSEL [Pursuant to Section 610.021(1), RSMo.]
- 15) ADJOURNMENT

Unfinished Business/ Hold Items <ul style="list-style-type: none">• BHS/Zykan Landfill Area• Animal Shelter• Dry Hydrants• Village Cemetery• Short Term Rental Properties (Next quarterly report June 2021)
--

MINUTES

The May 11, 2021 regular meeting of the Village of Innsbrook Board of Trustees was held via Zoom Video Conference and called to order at 5:00 PM (CST) with Chairman Thomsen presiding. Trustees Trish Dunn, Ted Sator, Jeff Thomsen and Donna West were present. Trustee Dan Reuter was absent. Due to the COVID-19 Pandemic, all Trustees and visitors attended this meeting via videoconference. Also in attendance were Village Administrator/Clerk - Carla Ayala, Village Attorney - Nathan Bruns, Steve Waters - Innsbrook Corp., Edwin Libby, Richard McFall, Allen Huddleston, Bud Oldani, and approximately five others.

APPROVAL OF AGENDA

Motioned by Trustee Sator, seconded by Trustee West, to approve the agenda. All Trustees present voted "Aye". Motion passed and approved with a 4-0 vote.

APPROVAL OF MINUTES

Motioned by Trustee Dunn, seconded by Trustee West to approve the April 13, 2021 regular session meeting minutes. All Trustees present voted "Aye", motion passed and approved with a 4-0 vote.

PUBLIC COMMENTS

The following email was received from Richard McFall and read aloud. *"This comment is directed at the sixth agenda item, public comment, which of course is on agenda. At the last trustee's meeting an assertion was made that the Village is not required to accept comments from the public that are not associated with an item on the agenda for that meeting. Is this correct and if so when did this policy start and was it agreed to by the entire board? I have attended Village meetings off and on for years but never heard this requirement. Nor do I recall reading it in the meeting instructions for providing public comments which states we may make our views known on any matter. The opportunity you provide for residents to comment on any matter is a good governance policy that should be continued. A few years ago I provided comment on a topic not on the agenda concerning the dangerous intersection of Stracks Church Road and the I-70 south access road. After the paving of SCR this intersection has been the scene of multiple accidents, including one fatality, due to poor line of sight. Based on that public comment, Trustee Stevener at the time took action to work with other agencies to place 4-way stop signs there that I expect have saved other accidents and injuries from occurring. Previously, I provided another public safety comment asking the Village become "bear aware" which then resulted in a program provided by the MDC. I ask that the Village continue to allow public comments, as a firm policy, at open trustee meetings on any subject relevant to the Village."* Chairman Thomsen responded to this email by stating that if someone would like for something to be added to the agenda, that should be done before the meeting. However, the Village operates in a flexible manner and if someone has a comment the Board will take it up when they are made, but the Board cannot spend an extended amount of time responding to comments in order to work through the agenda in an orderly fashion. The Village does follow the Roberts Rules of Order.

- a. Liability for Private Dams - In response to last month's public comment from Richard McFall, Chairman Thomsen stated that the Village Attorney, Nathan Bruns, looked into that matter and reported back to the Board of Trustees. The Village does not have an ownership interest in the dam and it would not be considered the Village's property for purposes of waiving sovereign immunity. The owner of the property would be liable for damage, the Village would not have any liability.

COMMUNICATIONS/PETITIONS/PRESENTATIONS

Chairman Thomsen reported that he delivered former Trustee Cindy Bowers an American flag and certificate, in appreciation of her time spent on the Village Board of Trustees.

BOARD OF TRUSTEES COMMENTS

Trustee Dunn asked if Richard McFall received a copy of what the Village Attorney sent to us, and she will forward the report if it has not been done so yet. Trustee Dunn also stated that once the Board begins meeting in person, things will be more flexible.

CHAIRMAN'S COMMENTS, REPORTS, APPOINTMENTS

None at this time.

DEPARTMENT REPORTS

- a. Financial Report - The April 2021 financial report and the bills of the month were distributed and viewed by all Trustees in attendance. Motioned by Trustee Dunn, seconded by Trustee West to approve the financial report and pay all the bills of the month. All Trustees present voted "Aye". Motion passed and approved with a 4 "Aye", 0 "No" vote.

- i. Missouri LAGERS Case Study - Trustees Dunn, West and Sator oppose spending the \$520 for the cost study. The matter will be looked into further and discussed during the June Board of Trustees meeting.
- b. Administrator's Report - Village Administrator/Clerk, presented a report to the Trustees. Village Hall has returned to normal business hours, Monday - Friday, 8am-4pm. Registration is now open for the 87th Annual MML Conference to be held in St. Louis, September 26-29, 2021.
- c. Planning and Zoning Commission - The Commission held their last meeting on May 05, 2021. Both Replats on this agenda were recommended for approval by a vote of 5 "Aye", 0 "No".

UNFINISHED BUSINESS:

- a. **BILL NO. 284 - AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI ESTABLISHING A PROCEDURE TO REGULATE SHORT TERM RENTALS WITHIN THE VILLAGE OF INNSBROOK.** No discussion was held. Motioned by Trustee Dunn, seconded by Trustee Sator to postpone Bill No. 284 and keep as unfinished business on the June meeting agenda. By roll call vote, Trustee Dunn - "Aye", Trustee Reuter - Absent, Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". With a 4 "Aye", 0 "No", 0 Abstain vote, motion passed and approved.

NEW BUSINESS:

- a. Request for Exemption For Special Community Event Noise:
 - i. Edwin Libby/Brilliant Skies LLC - 13604 State Hwy M; 8:30-10:30pm (07/24/2021) - Trustee West would like more information about fire protection and safety precautions that will be in place. Chairman Thomsen would like to see proof of Insurance of Liability for the event. After discussion, the Trustees agreed that proof of Liability Insurance, Fire safety requirements and contacting the local fire department should be completed prior to approval of this exemption. Trustees are to email to Chairman Thomsen any other conditions they would like to see added prior to the June Trustees meeting. This will be placed on that agenda to discuss further.
- b. 2021-2022 Fiscal Year Budget Draft - A Draft copy of the budget was sent to the Trustees for review prior to the meeting. The Trustees will review and inform the Village Administrator of any necessary changes.
- c. Set Public Hearing for 2021-2022 Fiscal Year Budget - Motioned by Trustee Dunn, seconded by Trustee Sator to set the public hearing for June 8, 2021 at 5pm. All Trustees present voted "Aye". Motion passed and approved with a 4-0 vote. The public hearing will be advertised in the local paper, posted at Village Hall and on the Village website.
- d. **BILL NO. 296 - AN ORDINANCE APPROVING THE REPLAT OF INNSBROOK ESTATES PLAT 68 LOT CONSOLIDATION PLAT OF LOTS 2459 AND 2460 FOR THE DEVELOPMENT OF ONE (1) SINGLE FAMILY RESIDENTIAL SITE.** Prior to discussion on Bill No. 296, Planning and Zoning Commissioners Huddleston and Oldani spoke about their uncertainty of approving these two Replats. They would like a 60-90 time frame prior to recommendation. After some discussion, motioned by Trustee Dunn, seconded by Trustee Sator to hold the first and second reading of Bill No. 296 by title only. All Trustees present voted "Aye". Motion passed and approved with a 4-0 vote. Chairman Thomsen read Bill No. 296 twice by title only. Chairman offered discussion on Bill No. 296. There being none, motioned by Trustee Sator, seconded by Trustee West to vote to approve Bill No. 296. By roll call vote, Trustee Dunn - "Aye", Trustee Reuter - Absent, Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". With a 4 "Aye", 0 "No", 0 Abstain vote, motion passed and approved. Bill No. 296 is enacted as Ordinance No. 292 of the Village of Innsbrook, Missouri.
- e. **BILL NO. 297 - AN ORDINANCE APPROVING INNSBROOK ESTATES PLAT TWENTY BOUNDARY ADJUSTMENT PLAT OF LOTS 467 AND 469 FOR THE DEVELOPMENT OF TWO (2) SINGLE FAMILY RESIDENTIAL SITES.** Motioned by Trustee Dunn, seconded by Trustee West to hold the first and second reading of Bill No. 297 by title only. All Trustees present voted "Aye". Motion passed and approved with a 4-0 vote. Chairman Thomsen read Bill No. 297 twice by title only. Chairman offered discussion on Bill No. 297. There being none, motioned by Trustee Sator, seconded by Trustee Dunn to vote to approve Bill No. 297. By roll call vote, Trustee Dunn - "Aye", Trustee Reuter - Absent, Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". With a 4 "Aye", 0 "No", 0 Abstain vote, motion passed and approved. Bill No. 297 is enacted as Ordinance No. 293 of the Village of Innsbrook, Missouri.

VOTE TO ADJOURN INTO EXECUTIVE SESSION

Motioned by Trustee Dunn, seconded by Trustee Sator, to adjourn the regular meeting and enter executive session. By roll call vote, Trustee Dunn - "Aye", Trustee Reuter - Absent, Trustee Sator - "Aye", Trustee Thomsen - "Aye", Trustee West - "Aye". Motion passed and approved with a 4 "Aye", 0 "No", 0 Abstain vote. Meeting adjourned into executive session at 6:42 PM.

EXECUTIVE SESSION - LEGAL COUNSEL & REAL ESTATE

Pursuant to Section 610.021(1),(2) RSMo, the Board of Trustees of the Village of Innsbrook, Missouri, subject to a motion duly made and adopted, may close the public meeting and hold a closed meeting for the purpose of dealing with matters (1) relating to legal actions, causes of action, litigation and privileged communications between the Village's representatives and its legal counsel; (2) relating to leasing, purchasing or sale of real estate. The Board of Trustees returned into regular session at 7:05 PM.

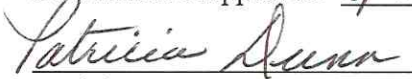
VOTE TO ADJOURN

Motioned by Trustee Sator, seconded by Trustee Dunn, to adjourn the regular meeting. All Trustees present voted "Aye". Motion passed and approved with a 4-0 vote. Meeting adjourned at 7:05 PM.

I hereby certify that these are the original minutes of the regular meeting of the Board of Trustees held on Tuesday, May 11, 2021.

Carla Ayala, Village Administrator/Clerk

Date Minutes Approved: 6/08/2021



Patricia Dunn,
Village Board Clerk
(seal)



Attest: Carla Ayala,
Village Administrator/Clerk

