

**CITY OF ELSBERRY
SPECIAL SESSION
BOARD OF ALDERMEN MEETING
WEDNESDAY JANUARY 31, 2024, AT 6:00 PM
ELSBERRY CITY HALL**

The Board of Aldermen of the City of Elsberry met on the evening of the above date at Elsberry City Hall at 6:00 pm. Mayor Wilch presided over the meeting. Present were Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer, City Attorney Robert Guinness, and City Clerk Rachel Reed.

Mayor Wilch called the meeting to order at 6:08 pm.
Roll call deemed a quorum present.

Public hearing to hear public comment on, and to consider, a petition by GT Hartley Investments LLC and Michael Hartley (1) for a Special Use Permit; and (2) approve a Final Subdivision Plat for two properties at, and adjacent to, Meadowview Court off of Brownsmill Road. The two properties' Lincoln County Assessor Parcel Nos. are 02-50-21-003-004-002.000 and 02-50-21-003-004-002.005).

Mayor Wilch called opened the public hearing.

Mr. Hartley addressed the board about the plans that he has for the subdivision. It meets the requirements.

Alderman Harper asked if there was anything that he would like to change. He said yes but they have already started working on this. She also asked about the no on street parking. This is something that can be changed later.

Mayor Wilch asked if there was anyone who would like to speak in favor. There was no one who spoke in favor.

Mayor Wilch asked if there was anyone who would like to speak against the matter. There was no one who spoke against the matter.

Mayor Wilch closed public hearing.

Bill 2024-01-001

AN ORDINANCE OF THE CITY OF ELSBERRY, MISSOURI, TO APPROVE THE FINAL PLAT FOR MEADOWVIEW COURT SUBDIVISION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, MISSOURI AS FOLLOWS:

WHEREAS, GT Hartley Investments, LLC, Gary Michael Hartley, II, and Tami R. Hartley (collectively referred to as "the Developer") have submitted a Final Plat to divide land legally described in Exhibit "A" into thirty-eight (38) residential lots; known as Meadowview Court ("the Subdivision");

and,

WHEREAS, The Developer has submitted an Indenture of Restrictions and Covenants for Meadowview Court, attached as Exhibit “B” (“the Declarations”).

WHEREAS, the Final Plat was reviewed by the Elsberry Board of Aldermen; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ELSBERRY, MISSOURI AS FOLLOWS:

SECTION 1. The Final Plat, attached as Exhibit “A”, for Meadowview Court is hereby approved. The Mayor and the City Clerk are authorized to sign the Plat’s City approval certificate on behalf of the City of Elsberry.

SECTION 2. All conditions imposed by the Ordinances of the City of Elsberry shall continue to be met by the Developer and the Lot owners of Meadowview Court.

SECTION 3. All conditions imposed by the Board of Aldermen, and the Planning and Zoning Commission relating to the acceptance and approval of Meadowview Court Final and Preliminary Plats, attached as Exhibit “C”, shall continue to be met by the Developer.

SECTION 4. The approval of the Final Plat of Meadowview Court is contingent upon the Developer recording the Final Plat and the accompanying Declarations in the Office of the Lincoln County recorder within thirty (30) days after the approval certificate is signed and sealed under the hand of the Mayor and the City Clerk, all at the developer’s sole cost.

SECTION 5. SEVERABILITY.

The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the Board of Aldermen would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing alone, are incomplete and incapable of being executed in accordance with the legislative intent.

SECTION 6: EFFECTIVE UPON PASSAGE

This ordinance shall be in full force and effect from and after the date of its passage.

SECTION 7: INCORPORATION INTO THE MUNICIPAL CODE

The City Clerk shall incorporate the terms of this Ordinance into the official City of Elsberry Municipal Code with all due dispatch.

The board considered bill 2024-01-001

Alderman Rockwell made a motion to read bill 2024-01-001 2 times by title only.

Alderman Meeyer seconded the motion.

Roll call vote

Alderman Harper-yes, Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes

Ayes-4

Nays-0

Absent Alderman Davis

City Attorney Robert Guinness read bill 2024-01-001 2 times by title only.

Alderman Rockwell made a motion to adopt bill 2024-01-001

Alderman Harper seconded the motion.

Roll call vote

Alderman Hale-yes, Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Harper

Ayes-4

Nays-0

Absent-Alderman Davis

Special use permit

Alderman Harper made a motion to support the findings and facts and to approve the special use permit.

Alderman Meyer seconded the motion.

Roll call vote

Alderman Rockwell-yes, Alderman Meyer-yes, Alderman Harper-yes, Alderman Hale-yes

Ayes-4

Nays-0

Absent-Alderman Davis

Motion carried.

Alderman Meyer made a motion to adjourn

Alderman Harper seconded the motion.

Ayes-Alderman Harper, Alderman Hale, Alderman Rockwell, Alderman Meyer

Nays- 0

Absent- Alderman Davis

Meeting adjourned at 6:18 pm

Respectfully submitted,

Rachel Reed

City Clerk

City of Elsberry

