

**St. Charles County Council Journal
Closed Meeting – September 13, 2021**

The St. Charles County Council met on Monday, September 13, 2021 at 6:01 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri.

Councilman Hammond made a motion to go into a closed meeting pursuant to State Statute RSMo 610.021 (12), (18), (19), and (20), seconded by Councilman Hollander and approved by the following roll call vote:

Councilman Joe Cronin	absent (arrived at 6:08 p.m.)
Councilman Joe Brazil	present
Councilman Mike Elam	present
Councilman Dave Hammond	present
Councilman Terry Hollander	present
Councilwoman Nancy Schneider	present
Councilman John White	present

Councilman Hollander made a motion to go into open meeting, seconded by Councilwoman Schneider and unanimously approved.

**St. Charles County Council Journal
Work Session – September 13, 2021**

A work session of the St. Charles County Council was called to order at 6:30 p.m. by Council Chair Elam. Members present: Councilman Cronin, Councilman Brazil, Council Chair Elam, Councilman Hammond, Councilman Hollander, Councilwoman Schneider, and Councilman White.

Facility Assessment and Operational Improvement Plan

Council Chair Elam opened the work session by calling upon Christine Ramsdell, Director of Facilities Management, to explain a proposed assessment and operational improvement bid for several county buildings. Ramsdell gave a PowerPoint presentation* to support her recommendation that the County contract with an Energy Service Company (ESCO) to conduct an audit and prepare a comprehensive replacement/improvement plan for equipment that is failing or at end of life. Ramsdell explained the goal of the audit is to reduce repairs, lower costs and improve operations. The proposed bid by Schneider Electric, a local company, was chosen based on their qualifications, stability, and pricing. Schneider Electric will engineer solutions, oversee design, implement new equipment, verify and monitor operations, and provide training.

Councilman Cronin questioned if this could be accomplished in-house? Ramsdell responded her staff doesn't have the time and the bid provides for quicker implementation and earlier savings. Councilman

Augusta residents, public services, traffic safety, and the developer should contribute to those expenses. Dienoff shared concerns about losing trees and the impact of amplified music and noise.

Cristina Kulczycki, on behalf of her parents who are Augusta residents and live across from the proposed entrance, requested the pace of development slow down. Kulczycki shared safety concerns that back-ups on the hilly roads would result from the increased traffic. Kulczycki requested the developer include resident feedback for the traffic study, share the report with residents and requested the Council make her request a condition. Kulczycki requested shorter hours for amplified music, shared concerns that the septic system would be used at 2 times capacity, requested plans for lighting, and requested a requirement of no helicopter traffic.

Councilman Hammond assured Kulczycki the County has strict lighting requirements, and Councilman Brazil stated all businesses in that area should have uniform noise restrictions.

IN THE MATTER OF)
CONDITIONAL USE PERMITS)
TABLED BILLS)

BILL NO. 4985 – Sponsored by Joe Cronin – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP21-08 FOR AN OUTDOOR STORAGE YARD FOR AUTOMOBILES, BOATS, TRUCKS TRAILERS, AND RECREATIONAL VEHICLES TO HOWARD CHILCUTT TRUST, PROPERTY OWNER(S), AND KJ STORAGE, LLC, APPLICANT

Council Member Cronin requested this bill remain tabled while he is working with the applicant. Bill No. 4985 remains tabled.

IN THE MATTER OF)
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PUBLIC COMMENTS)

Council Chair Elam opened Public Comments and requested all comments be limited to 3 minutes per speaker with 3 alternating pro and con positions per topic.

COVID-19

Lindi Williford – County resident, reported data she obtained by a Sunshine request: 29,372 school children have been quarantined and of those 1.28% tested positive for COVID-19. Williford suggested Executive Ehlmann has discretion in health matters and was not representing the kids and parents with current quarantine orders. Williford stated parents should decide what is best for their kids.

Nancy Zoellner – St. Charles resident, praised St. Charles County, but stated the community needs to work together to protect our freedoms, and without a layered mitigation strategy the virus gets the freedom. Zoellner opposed removing quarantine ability from the Health Department which would erode the health and safety of the County.

Brenda Webb – County resident, stated she supports Resolution 21-09, does not support mask mandates, forced vaccinations or quarantines and stated people are relying on the Council to support our freedoms. Webb displayed pictures of empty hospital parking lots suggesting a different narrative about COVID's effects on the healthcare system. Webb stated we are not told the truth about COVID.

Aimee Robertson, O'Fallon resident, stated she is against the school boards making quarantine decisions, suggested the Council consider a resolution to create a task force of medical professionals, administrators, and parents to address COVID-19 precautions in schools. Robertson stated the community is being torn apart by this issue, the bad behavior on display at public meetings is not a good model of problem solving, compromise or understanding an opposing view. She stated divisiveness, not COVID, was the infection.

Judith Moorefield, County resident, stated she was interested in hearing the truth. Moorefield stated the truth was not being told about face masks and that the bacteria being breathed by students in old unchanged masks could be considered abuse. Moorefield stated both sides can't be right.

Jennifer Main, County resident and health care provider, stated she treats COVID-19 patients and has concerns that preventable cases put a strain on the healthcare systems and deny beds, services, and staff for those who have other serious health issues. Main encouraged experts to meet with community leaders.

Cory Schires – Wentzville resident, stated the Federal Government shouldn't handle parent problems, and noted a 20% drop in school children's IQs since COVID, demanded proof that masks work, and stated we are being lied to about COVID-19 statistics. Schires stated hospitals were given time to prepare for increased cases, and the increased time to slow the spread has become permanent lockdown and government overreach. Schires stated asymptomatic spread of COVID-19 is not real.

Justin McCoy, County resident, stated he opposes this dangerous resolution, encouraged the Council to be good leaders and role models and to find compromise on the issue. McCoy questioned the purpose of a health department if their duties are taken away? McCoy encouraged seeking expert advice on what is best for St. Charles County.

Megan Rogers – stated she opposes school boards determining which COVID contacts should be allowed to in school as 16% of positive cases are asymptomatic and cause spread. Rogers explained she has an immune compromised daughter with asthma and stated how hard it is hard to watch her daughter struggle to breathe. Rogers recounted a story of a COVID positive infant who needed to be revived and when at the hospital went to sleep and has not woken up. Rogers opposes removing quarantine orders without modifying for masks.

Mary Ann Boatright – County resident, gave examples supporting that COVID-19 may not be as contagious as we hear, may be treatable with other drugs and vitamins, and stated the health care industry gives higher priority to COVID-19 testing than needed emergency treatment. She stated the issue at hand is tyranny and control and urged the public to fight back.

Dr. Eric Nepute – Weldon Spring resident, stated a harmful language alert now accompanies the Declaration, Bill of Rights, and the Constitution regarding the right of the people to alter or abolish harmful government. Napute stated the Attorney General is suing to fight unconstitutional mask mandates and Napute agrees that discrimination shouldn't be tolerated based on wearing or not wearing masks. He stated the Constitution is under attack and the public has the right not to be vaccinated.

Gateway St.

Wesley Tippit, County resident, requested the Council look at information showing that his street (Gateway St.) should be accepted for public maintenance as it has thicker asphalt than other roads that are County maintained. Tippit stated Gateway St. has been denied twice and requested a response from Council.

Ronald Schuler, County resident, recently moved to Gateway St. and stated he likely would not have bought this home if he knew there was no County maintenance of the street and worries that emergency vehicles may not be able to access homes on the street when it snows.

Miscellaneous

Arnie Dienoff – O'Fallon resident, shared concerns that the size of Council Chambers limits public access to meetings, that some of the \$68 million in County COVID-19 relief funds go to schools for medical related issues, and that taxpayer dollars be given to local bidders for County projects.

**IN THE MATTER OF)
ORAL REPORT FROM)
THE COUNTY EXECUTIVE)**

The County Executive presented no report.

**IN THE MATTER OF)
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CONSENT AGENDA)**

Council Chair Elam asked if there were any items to be removed from the Consent Agenda, nothing was removed.

Councilman Hollander made a motion to approve the Consent Agenda as presented, seconded by Councilman White and unanimously approved. The approved items are as follows:

Approval of Journal of the previous meetings – 8-30-2021

Approval of Bids

Nominations and Appointments

Miscellaneous

Community Development

- CUP21-11 Findings of Fact, Conclusions of Law, Decision and Order – Bill No. 4986

- CUP21-12 Findings of Fact, Conclusions of Law, Decision and Order – Bill No. 4987

IN THE MATTER OF ITEMS)
REMOVED FROM THE)
CONSENT AGENDA)

Councilman Cronin requested the following items remain removed until further discussion with the administration. The following items remain removed from the consent agenda:

Emergency Communications - Tower Structural Analysis and Telecom Shelter/Nokia of America Corp./\$560,649.29 (Removed 8-30-21)

Facilities Management – Justice Center and Administration Building Partial Roof Replacement/ Lakeside Roofing Co. Inc./\$222,692.00 (Removed 8-30-21)

IN THE MATTER OF)
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RESOLUTIONS)

RESOLUTION NO. 21-08 – Sponsored by Council as a Whole – A RESOLUTION RECOGNIZING SEPTEMBER 17 THROUGH 23 AS CONSTITUTION WEEK IN ST. CHARLES COUNTY, MISSOURI

Joan Koechig, Suzanne Weaver, Sarah Stratton, and Gail Ray of the local Daughters of the American Revolution thanked the Council for the resolution, noted their organization’s growing numbers and noted the benefits the Constitution affords us was evident at this Council meeting.

Councilman Hollander thanked the Daughters of the American Revolution for their continuing efforts to educate people on the Constitution. Councilman White thanked them for doing the research to determine that they had an ancestor who participated in the Revolution and encouraged others to do so and join the organization.

There being no further discussion, Council Chair Elam requested the following roll call vote: Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Resolution No. 21-08 was unanimously approved.

RESOLUTION NO. 21-09 – Sponsored by Joe Cronin and Joe Brazil – A RESOLUTION OF THE ST. CHARLES COUNTY COUNCIL REQUESTING THAT THE COUNTY EXECUTIVE AND COUNTY HEALTH DEPARTMENT TAKE CERTAIN ACTIONS RELATING TO QUARANTINE ORDERS FOR ALL ST. CHARLES COUNTY SCHOOLS

Councilman Brazil stated this resolution affirms the authority of school boards to make their own decisions and questioned our Health Department sending the schools a 12-page letter with recommended

mitigation strategies. Brazil stated he was upset that he didn't receive a response from the administration to his direct request for statistics about close contact quarantines. Brazil stated quarantine actions don't seem science based, aren't constitutional and are abusive and discriminatory to kids who are the least vulnerable. Brazil stated House Bill 271 requires a Council vote to extend quarantine orders after 30 days. Brazil noted he would like to amend the Resolution after all discussion.

Councilman Cronin stated his intent with this resolution was to correct the negative effect of quarantines on kids and the possibility that it may cause parents to lose their jobs. Cronin shared concerns that school districts and administrators don't know how to handle the situation; that \$185 million in federal aid for school testing program only has 15 districts participating; that freedom of information requests are needed to get COVID-19 numbers; and that other counties have better modified quarantines. Cronin suggested a health advisory board, accountable to an elected body, for expert advice and recommendations. Cronin stated he is encouraged that the County Executive requested a meeting with the new state Health Director who wants to bring together health departments and school districts to make improved policies.

Councilman Cronin motioned to table the resolution, seconded by Councilman White. Councilman Brazil requested the vote wait for remarks from Senator Onder.

Councilmen Cronin and Brazil called upon Senator Bob Onder to speak on House Bill 271 and the constitutionality of the Resolution. Onder explained contract tracing is impractical and irrational for children who have a uniquely low risk for serious implications from COVID-19. Onder stated contact quarantines are doing more harm than good, with over 340,000 missed days of school which relates to poor grades, drop-outs, teen pregnancy, and drug abuse. Onder called quarantines discriminatory as $\frac{3}{4}$ of all contact quarantines were kids. Onder submitted that contact quarantine orders under House Bill 271 should be accompanied by a letter of need from the Health Department and approved by the County Council, thus making any current policy null and void. Other counties have instituted less strict orders and Onder recommended sending sick kids home, monitoring current students for symptoms, and reviewing policy if the student positivity rate exceeds 10%.

Councilman Cronin suggested Senator Onder review penalties related to MO State Statute 192.320 that were established in 1978.

Discussion continued with the Ehlmann and Onder raising points related to penalties if the State found fault with independent County actions and possible remedies for handling this issue by State agencies.

Councilman Cronin, withdrew his motion to table, seconded by Councilman White to allow for Councilman Brazil to amend the resolution.

Councilman Brazil motioned to amend the resolution by striking the second whereas related to decisions being made by the school boards and administrators. Brazil acknowledged administrators and board members were not health experts. Councilman Hammond seconded the motion to amend which was unanimously approved.

Councilman Cronin motioned to table the amended resolution, seconded by Councilman White, with 6 members in favor and 1 opposed.

Amended Resolution No. 21-09 was tabled.

IN THE MATTER OF)
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BILLS FOR FINAL PASSAGE)

Bill No. 4990 – Sponsored by Nancy Schneider – AN ORDINANCE VACATING AN UNUSED PORTION OF NEUSTAEDTER ROAD LYING SOUTH FROM ITS INTERSECTION WITH PERUQUE CREEK ROAD TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 47 NORTH, RANGE 3 EAST, PURSUANT TO SECTION 228.110 REVISED STATUTES OF MISSOURI

Councilwoman Schneider motioned to table this bill at the request of the applicant until a final survey of property is complete, seconded by Councilman Brazil with all in favor. Bill No. 4990 was tabled

Bill No. 4991 – Sponsored by Mike Elam – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT BETWEEN ST. CHARLES COUNTY AND THE CITY OF WENTZVILLE FOR THE PURPOSE OF TRANSFERRING OWNERSHIP AND MAINTENANCE OF A WEATHER WARNING SIREN AND APPURTENANCES

There being no discussion, Council Chair Elam requested the following roll call vote: Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Bill No. 4991 was unanimously approved.

IN THE MATTER OF)
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BILLS FOR INTRODUCTION)

Bill No. 4993 - Sponsored by Joe Brazil - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, TO AT, AGRICULTURAL TOURISM DISTRICT, PER APPLICATION RZ21-14

Councilman Brazil verified with Elliott Reed of Cochran Engineering (representing the applicant) that water and sewer service would be provided by Public Water Supply District #2 and if the plant needed expansion, the applicant would work with them financially.

Bill No. 4994 - Sponsored by Joe Brazil - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND

FROM A, AGRICULTURAL DISTRICT, TO R3B, MULTI-FAMILY RESIDENTIAL DISTRICT, AND R1E, SINGLE-FAMILY RESIDENTIAL DISTRICT, PER APPLICATION RZ21-15

Councilman Brazil explained the proposal fits the master plan yet acknowledged some people were upset with the development. A Lombardo Homes representative stated there are 418 units in the development, the roads will provide access to Hopewell Rd and Hwy N for Harvest residents, and the development did not annex into O’Fallon.

Bill No. 4995 – Sponsored by Mike Elam - AN ORDINANCE FIXING AND ESTABLISHING THE RATE AND LEVYING OF TAXES FOR THE GENERAL REVENUE FUND AND FOR VARIOUS SPECIAL FUNDS OF AND FOR THE COUNTY OF ST. CHARLES, MISSOURI, FOR THE YEAR 2021

Councilman Cronin verified with Bob Schnur, Director of Finance, that tax rates were falling and at their maximum statutory limits.

Bill No. 4996 - Sponsored by Nancy Schneider - AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO AUTHORIZE ACCEPTANCE OF A GRANT NOT TO EXCEED TWENTY-THREE THOUSAND DOLLARS (\$23,000) PURSUANT TO PROJECT NO. 21-111A-1

IN THE MATTER OF)

TABLED BILLS)

There were no Tabled Bills removed.

IN THE MATTER OF)

ANNOUNCEMENT AND)

MISCELLANEOUS)

Council Chair Elam recognized Richard West, Mayor of New Melle, who was in the audience.

There being no further discussion, Councilman Hollander made a motion to adjourn, seconded by Councilman Hammond and unanimously approved.

The meeting adjourned at 9:29 p.m.

Examined and Approved

Mike Elam, Council Chair
St. Charles County, Missouri

/csf