

**St. Charles County Council Journal
Regular Meeting – October 12, 2021**

The St. Charles County Council met on Tuesday, October 12, 2021 at 7:00 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri.

Council Chair Elam provided the invocation and Councilman Cronin led the Pledge of Allegiance.

The following roll call was taken by the clerk:

Councilman Joe Cronin	present
Councilman Joe Brazil	present
Councilman Mike Elam	present
Councilman Dave Hammond	present
Councilman Terry Hollander	present
Councilwoman Nancy Schneider	present
Councilman John White	present

County Executive Staff present:

Steve Ehlmann, County Executive
Joann Leykam, Director of Administration
Jennifer George, Assistant Director of Administration
John Greifzu, Assistant Director of Administration

County Counselor Staff present:

Rory O’Sullivan, Acting County Counselor

IN THE MATTER OF)
)
PUBLIC PRESENTATIONS)

Donation to the Police Department by the John Bush Family

Council Chair Elam announced the John Bush Family was present with a donation to the St. Charles County Police Department’s Training Facility in honor of their father Sgt. John Bush. The family explained it was their father’s love and dedication for his job at the St. Charles County Training Facility that the family formed the 505 Foundation in his memory and held a golf tournament providing the proceeds to the St. Charles County Police Department. The John Busch Family donated \$6,000 to the St. Charles County Police Department. The family announced next year’s golf tournament will be held on July 25, 2022 at Whitmoor Country Club.

Proposed Redistricting Plan for County Council District Boundaries

Three of the six members of the Redistricting Commission were in attendance to explain the process and procedure on how they came up with the proposed map for redistricting the County Council Districts for 2022 – 2031 from the 2020 US Census. Kurt Bahr provided an overview of how the process works in accordance with the St. Charles County Charter which is available at <https://ecode360.com/ST3436>. Bahr continued there were various maps drawn and ultimately the Commission unanimously voted on the proposed version before the Council. Bahr pointed out the proposed map provides for most cities to be in one Council District with the exception of St. Charles, St. Peters, O’Fallon and Wentzville. Bahr stated the Commissions’ duties are to draw the boundaries, not have the Council Members draw the boundaries. Bahr also stated if the Council does not approve this map and deny the resolution, the Council Members simply send the Commission their objections and the Commission reviews other possibilities or proposes with the same map.

Council Member Brazil shared his concerns regarding the changes to District 2 which he represents. Brazil requested the Commission review the districts and consider putting the Busch Wildlife area back into District 2 and modify District 3 and 7 to accommodate the changes. Brazil’s concern is he has always represented this area and with development being so aggressive in the O’Fallon and Wentzville area he asked to have his district area where it was prior to the proposed change. Brazil also stated his concerns regarding the lack of public input and awareness of the Redistricting Commission’s meetings.

Council Members Cronin and Schneider both stated they were fine with their districts as proposed.

IN THE MATTER OF)
CONDITIONAL USE PERMITS)
BILLS FOR INTRODUCTION)
AND PUBLIC COMMENT)

Bill No. 5001 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP21-10 FOR A LAWN CARE SERVICE TO DARDENNE CREEK FARMS, INC., PROPERTY OWNER(S), AND JASON ABERNATHY, APPLICANT

Council Chair Elam introduced Robert Myers, Planning and Zoning Division Director for the St. Charles County Community Development Department to provide an overview of the application. Myers was sworn in by staff. Myers explained this CUP application is located at 3153 Hopewell Road and they are requesting a CUP to operate a lawn care service which is defined by County zoning as “A business devoted to cutting grass on private or public property. Such service shall not include materials or equipment used for landscaping.” Myers pointed out both staff and the Planning and Zoning Commission recommended approval for this CUP application. Myers introduced Elizabeth Lum, representative for the applicant to provide her overview. Lum was sworn in by staff. Lum provided a power point presentation with information regarding what the request for the CUP was for which was a lawn care service which is a business devoted to cutting grass on private or public property and located in a residential zoned district

and must store its vehicles and equipment indoors. Lum shared various slides of the property and the surrounding neighboring properties which many are involved in conditional use permits for landscaping uses as well as a trucking and delivery service. Lum stated this property does not require a zoning change to allow for the CUP. Lum reviewed the site plan and described the various means they will be using to buffer the area with trees and various plantings. Lum reviewed the requirements according to Section 405.510 of the County's UDO and stated the Planning and Zoning Commission unanimously approved this CUP application at their September 15, 2021 meeting.

There being no question from the Council Members, Council Chair Elam opened the floor for Public Comments on Bill No. 5001.

Arnie C. AC Dienoff, County resident was sworn in by staff. Dienoff stated he attended the Planning and Zoning Commission meeting and has various concerns with this application as it is in an area that is quickly growing. Dienoff pointed out there were six letters of opposition provided to the Planning and Zoning Commission members. Dienoff requested the following conditions: No derelict vehicles, no outdoor maintenance, hours of operation should be 7:00 a.m. to 6:00 p.m., no outdoor storage, no piles of yard waste, chemicals, etc., no debris, a buffer zone of 50' from the adjoining properties, review of the setbacks, compliance with the County's stormwater and erosion regulations, comply with County Code and compliance with the Missouri Dept. of Natural Resources as it relates to chemical handling, pesticides and salt to avoid damage to creeks.

There were no additional speakers.

Council Member Brazil stated the prior owner of the property used it for a dump truck lot.

Council Member Hollander as the liaison to the Planning and Zoning Commission stated the big thing was what uses were next door and noted this is much better use of land.

**IN THE MATTER OF)
PUBLIC HEARING ON THE)
PROPOSED REDISTRICTING)
PLAN FOR COUNTY COUNCIL)
DISTRICT BOUNDARIES)**

Council Chair Elam opened the public hearing on the Proposed Redistricting Boundaries.

Arnie C. AC Dienoff, County resident stated his has a lot of issues with this mostly that there was no public input. Dienoff stated the map appears to be contiguous and could create competition for other citizens to consider running for County Council seats. Dienoff requested the process should be reviewed so that in 10 years, there is more transparency in the process.

John Behr, lives in Defiance, MO and requested the Busch Wildlife area remain in the current District 2. Behr pointed out various sections of the map showing the possibilities of line movement and noted

residents of District 2 want to remain in District 2. Behr also stated the current Council Member is very aware of the development movement and continues to keep the area as rural as possible.

Brenda Webb, St. Charles County resident echoed Mr. Behr’s comments and noted this process was not publicized as good as it could have been.

Sabrina Wren, St. Charles County resident also echoed Mr. Behr’s comments and noted there was no public disclosure or how they came up to their decision. Wren requested this map be denied and sent back with objections and to receive input from the public.

Annette Sieve, St. Charles County resident of District 2 feels like because of the suggested map, she will be cut out of her community and will be in a more suburban area vs a rural area. Sieve is a 27 year resident and requested to remain in the current District 2.

Johnny Steinmeyer, resident of Defiance suggested District 2 should remain the same. Steinmeyer noted the County is growing and the roads are getting overcrowded.

There being no additional speakers, the Public Hearing was closed at 8:09 p.m.

IN THE MATTER OF)
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PUBLIC COMMENTS)

Council Chair Elam opened the floor for public comments and requested all comments be limited to 3 minutes per speaker with 3 alternating pro and con positions per topic.

Miscellaneous

Arnie Dienoff – O’Fallon resident, shared concerns regarding individuals the County Executive meets with as well as concerns with agenda items on the bids for the Gateway Green Light projects, the Kinetic Park, Emergency Communications bid for the Tower Structural Analysis and Bill No. 5000.

COVID-19

Lindi Williford, St. Charles County resident stated her concerns regarding quarantine and contact tracing with children in schools. Williford shared pictures of large events recently held in St. Charles County and questioned if they were contact traced to quarantine. Williford pleaded with the Council to hold the County Executive accountable as it relates to the Health Department recommendations.

Jonathan Biehl, St. Charles County resident stated his opposition to mask mandates and asked the County Council to not put a mandate in place. Biehl explained the dangers of masks and explained why they do not work as stated during this pandemic.

Grayson Jostes, a St. Peters resident stated everyone has a choice and stressed the importance of getting a vaccination and wearing a mask to slow down the spread of the COVID-19 virus.

Maryann Boatright, a St. Charles County resident, requested people to stop being compliant to government requests. Boatright pointed out a situation with a St. Charles County Police Officer at the Daniel Boone Elementary School as it relates to masks. Boatright reminded citizens to question elected officials about their actions as they have taken an oath to follow the U.S. and MO Constitution.

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

County Executive Steve Ehlmann announced they recently had a teleconference with the MO Dept. of Elementary and Secondary Education and MO Dept. of Health and Senior Services and relaying that there is now a 4th option for students called Test and Stay. Ehlmann noted there will be more information forthcoming as they review the details.

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.

Council Member Hollander made a motion to approve the Consent Agenda as presented, seconded by Council Member Hammond and passed by a vote of 6-1. The approved items are as follows:

Approval of Journal of the previous meetings – 9-27-2021

Approval of Bids

Roads and Traffic

- Gateway Green Light Phase MO Route 94 and Signal Improvements/Gerstner Electric/\$394,962.11

Information Systems

- Professional Services - Parks Recreation Management Software/Vermont Systems/\$162,100.91
- Executive Building Security Hardware Improvements/Dynamic Controls/\$86,852,00
- Executive Building Security Improvements - Low Voltage Wiring/TSI Global Cos./\$77,366.14

Parks and Recreation - Kinetic Park - Parking Lot Improvements/Kolb Grading LLC/\$744,855.25

Nominations and Appointments

Domestic Violence Board – all reappointments

- Dee Wetzal – term expiring 1-1-23
- Rebeca Navarro-McKelvey – term expiring 1-1-23
- Joan Koechig – term expiring 1-1-23
- Andrea Robertson – term expiring 1-1-23
- DiAnne Mueller – term expiring 1-1-22

Miscellaneous

Highway

- Petition for Public Acceptance - streets and storm sewers in The Bluffs at Windcastle
 - Petition for Public Acceptance - streets, sidewalks & storm sewers The Meadow at Meyers Ridge
- Community Dev. – Findings of Fact and Conclusions of Law/Bill No. 4992/CUP21-14

Council Member Cronin stated he has met with Dwayne Kinley and Jeff Smith with Emergency Communications and noted the Director of Administration Joann Leykam is requesting to rework the contract on this. Leykam stated it was the request of the County Executive to withdraw this item from the agenda. The item removed is:

Emergency Communications – Tower Structural Analysis and Telecom Shelter/Nokia of America Corp./\$560,649.29

IN THE MATTER OF)
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RESOLUTIONS)

RESOLUTION NO. 21-11 - Sponsored by Council as a Whole – A RESOLUTION APPROVING THE REDISTRICTING PLAN FOR COUNTY COUNCIL DISTRICT BOUNDARIES 2022-2031 PRESENTED BY THE REDISTRICTING COMMISSION ON OCTOBER 12, 2021

Council Member Brazil requested to reject the proposed map to allow for discussion on other options and get input from the public. Council Member Cronin stated he has no issues with his district and understands it is a difficult task but does not have any issues with denying this map to allow the Commission to review the objections of Councilman Brazil. Cronin invited Commission member David Zucker to give his overview of the proposed map. Zucker stated as the mayor of Dardenne Prairie, the city was represented by three different Council members and suggested to draw the lines to keep entire communities within one district other than the larger cities.

There being no further discussion, Council Chair Elam requested the following roll call vote: Council Member Cronin – no, Council Member Brazil – no, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member White – no. Resolution No. 21-11 passed by a vote of 4-3.

IN THE MATTER OF)
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BILLS FOR FINAL PASSAGE)

Bill No. 4997 - Sponsored by Mike Elam - AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT RELATING TO ST. CHARLES COUNTY’S “URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM” OR “URBAN COUNTY CDBG PROGRAM”,

NAMELY: A 2021 SUBRECIPIENT AGREEMENT BETWEEN ST. CHARLES COUNTY AND THE CITY OF ST. PETERS TO OPERATE AND RUN THE CITY'S CDBG PROGRAMS AND SERVICES.

There being no discussion, Council Chair Elam requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member White – yes. Bill No. 4997 was unanimously approved.

Bill No. 4998 - Sponsored by Mike Elam - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A SEVENTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF ST. CHARLES FOR COLLECTION OF TAXES

There being no discussion, Council Chair Elam requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member White – yes. Bill No. 4998 was unanimously approved.

Bill No. 4999 - Sponsored by Mike Elam - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE AMENDMENT #2 TO PROGRAM SERVICES CONTRACT #CS200832001 WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR VIOLENT DEATH AND OVERDOSE DEATH SURVEILLANCE REIMBURSEMENT

There being no discussion, Council Chair Elam requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member White – yes. Bill No. 4999 was unanimously approved.

Bill No. 5000 - Sponsored by Mike Elam - AN ORDINANCE ACCEPTING A GRANT FOR THE OFFICE OF THE REGIONAL MEDICAL EXAMINER, BOTH ACTIONS AS FUNDED BY A GRANT

There being no discussion, Council Chair Elam requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – no, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member White – yes. Bill No. 5000 was approved by a vote of 6-1.

IN THE MATTER OF)
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BILLS FOR INTRODUCTION)

Bill No. 5002 – Sponsored by Mike Elam – AN ORDINANCE SETTING THE 2022 RATES FOR GROUP MEDICAL INSURANCE BENEFITS WITH AETNA LIFE INSURANCE4 COMPANY,

DAVIS VISION, AND SELF-INSURED DENTAL INSURANCE BENEFITS FOR COUNTY EMPLOYEES, ELECTED OFFICIALS AND RETIREES

Council Member Brazil questioned Finance Director Bob Schnur on the various rates part time employees pay for insurance benefits as well as Elected Officials. Brazil also questioned if Schnur could review the numbers to see if providing retirees insurance benefits until they reach 65. Schnur explained the LAGERS pension plan, which the County currently uses is enrolled into a plan that provides additional benefits to employees who retire at the age available under LAGERS until age 65 which is there for insurance benefits. Schnur pointed out the County’s insurance benefits for retirees is top rated among other municipalities.

IN THE MATTER OF)
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TABLED BILLS)

There were no bills removed from the table.

IN THE MATTER OF)
ANNOUNCEMENT AND)
MISCELLANEOUS)

Council Chair Elam thanked the Redistricting Commission members for their hard work on the Council District Boundaries for 2022-2031.

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

The meeting adjourned at 8:54 p.m.

Examined and Approved

Mike Elam, Council Chair
St. Charles County, Missouri

/djv