

**St. Charles County Council Journal
Regular Meeting – October 25, 2021**

The St. Charles County Council met on Monday, October 25, 2021 at 7:02 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri.

Pastor Rick Dement, O’Fallon Free Will Baptist Church provided the invocation and Councilman Brazil 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	absent
Councilwoman Nancy Schneider	absent at roll call
Councilman John White	present

County Executive Staff present:

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

County Counselor Staff present:

Rory O’Sullivan, Acting County Counselor

IN THE MATTER OF)
CONDITIONAL USE)
PERMITS BILLS FOR)
FINAL PASSAGE)

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

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 – absent, Council Member Schneider – yes and Council Member White – yes. Bill No. 5001 was approved by a vote of 6-1.

IN THE MATTER OF)
)
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, requested the Council packet should be released to the public one week prior to its current release. Dienoff had concerns regarding the Election Management Software, the door controls and the annual audit.

Health Department

Lindi Williford, St. Charles County resident announced she is the president of a newly formed St. Charles County Parents Association and also announced they recently filed a lawsuit against the St. Charles County Health Department regarding the harming of children by quarantining them from attending school.

Election Software

Maryann Boatright, St. Charles County Resident shared her concerns regarding the Election Management Software and how the citizens did not have enough time to review the RFP. Boatright pointed out the various problems with voting software and how it could affect votes in the future.

Brenda Webb, St. Charles County resident stated she agreed with the previous speakers relating to the Election Management Software. Webb shared concerns with voting, elections and third party involvement in future elections.

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

There was no Oral Report.

IN THE MATTER OF)
)
CONSENT AGENDA)

Council Chair Elam asked if there were any items to be removed from the Consent Agenda.

Council Member Cronin made a motion to remove the following item:

Information Systems – Professional Services – Elections Management Software/InTech Software Solutions, Inc./\$173,750.00

The motion was seconded by Councilman Hammond and unanimously approved by the members present.

Council Member Brazil made a motion to remove the following item:

Highway – Addendum #2/Bartlett and West/Professional Services – Lake St. Louis Blvd. Extension Project/\$76,354.00

The motion was seconded by Council Member Cronin and unanimously approved by the members present.

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

Approval of Journal of the previous meetings – 10-12-2021

Approval of Bids

Parks and Recreation – Missouri Bluffs Park Asphalt Project/E Meier Contracting Inc/\$347,076.00

Information Systems – Yearly Renewal for Genetec/Dynamic Controls, Inc./\$136,164.00

– Juvenile Door Control System Upgrade/Corsair Controls, Inc./\$77,362.00

Finance – Professional Services – Annual Audit of the Annual Comprehensive Financial report and A-133 Single Audit/Clifton Larson Allen, LLP/\$188,500

Nominations and Appointments

Miscellaneous

Registrar – Records Destruction Request, Finance

Information Systems – Amendment #6/Tyler Technologies ExecuTime Software/\$211,052.00

ITEMS REMOVED)
FROM THE)
CONSENT AGENDA)

Council Member Cronin requested a review of the software from Election Authority Kurt Bahr. Bahr pointed out this software does not count votes. Bahr explained this software is slated to replace a vendor that is no longer providing this service. Bahr continued by explaining the software will staff election judges, election judge pay, provide mass e-mails and schedules training. This new software does basically the same as the past vendor, however this system has better safety controls.

Council Member Brazil requested a review from Information Systems Director Matthew Seeds who explained this system does not count votes in any manner. Seeds pointed out this product has better safety mechanisms than the prior vendor. Discussion was held on various hypothetical situations

regarding manipulation of the system from an outside source. Seeds stated the departments would like to see this bid approved to move forward organizing the April, 2022 municipal election.

Council Member Schneider stated as a former Judge she presided over election cases and never are the same election judges used to recount votes.

Council Member Brazil requested this bill remain off the Consent Agenda until the Nov. 8, 2021 Council Meeting to allow for further review.

Highway – Addendum #2/Bartlett and West/Professional Services – Lake St. Louis Blvd. Extension Project/\$76,354.00

Council Member Cronin stated the reason for the \$76,000 addendum is to add a round-about that was not requested in the initial design plans. Cronin stated he had no issues with this cost.

Council Member Brazil made a motion to approve Addendum #2 for \$76,354.00, seconded by Council Member Hammond and unanimously approved by the members present.

IN THE MATTER OF)
)
BILLS FOR FINAL PASSAGE)

Bill No. 5002 – Sponsored by Mike Elam – AN ORDINANCE SETTING THE 2022 RATES FOR GROUP MEDICAL INSURANCE BENEFITS WITH AETNA LIFE INSURANCE COMPANY, DAVIS VISION, AND SELF-INSURED DENTAL INSURANCE BENEFITS FOR COUNTY EMPLOYEES, ELECTED OFFICIALS AND RETIREES

Council Member Brazil shared his concerns regarding the cost of health insurance benefits for County Council Members who only work part time and noted it was unfair to those employees who are scheduled to work part time and must pay extra for their health benefits. Council Member Cronin stated the time to discuss this is during budget work sessions. Brazil stated Council Members do not work more than 20 hours per week and stated he would not support this bill.

There being no further 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 – absent, Council Member Schneider – yes, Council Member White – yes. Bill No. 5002 was passed by a vote of 5-2 with one member absent.

IN THE MATTER OF)
)
BILLS FOR INTRODUCTION)

Bill No. 5003 – Sponsored by Mike Elam – AN ORDINANCE AUTHORIZING THE PROFESSIONAL ADMINISTRATIVE SERVICES AGREEMENT BETWEEN ST. CHARLES COUNTY AND THE CITY OF ST. CHARLES FOR THE CITY’S OPERATION OF THE URBAN COUNTY’S 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAMS AND SERVICES

Bill No. 5004 – Sponsored by Mike Elam – AN ORDINANCE APPROVING AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR USE OF COUNTY RIGHT-OF-WAY FOR STORM SEWER, UTILITY AND ROAD WORK

Council Member Cronin shared his concerns regarding this bill in that he is not comfortable providing MoDOT with right-of-way until there is an approved plan. Cronin stated there is a lot of controversy with this issue. Cronin stated Amanda Brauer, Director of Roads and Traffic stated St. Charles City has already approved their right-of-way and St. Peters at this point has not.

Bill No. 5005 – Sponsored by Mike Elam – AN ORDINANCE ESTABLISHING UNPAID LEAVE ACCESS TO EMPLOYEES WHO ARE VICTIMS OF DOMESTIC OR SEXUAL ABUSE OR WHOSE FAMILY OR HOUSEHOLD MEMBERS ARE VICTIMS OF DOMESTIC OR SEXUAL ABUSE TO COMPLY WITH THE MISSOURI VICTIMS ECONOMIC SAFETY AND SECURITY ACT (VESSA) AND PAID LEAVE ACCESS TEMPORARILY TO CERTAIN COUNTY EMPLOYEES

Bill No. 5006 – Sponsored by Mike Elam – AN ORDINANCE REQUIRING THE FINGERPRINTING OF EMPLOYEES, PROSPECTIVE EMPLOYEES AND VOLUNTEERS WITHIN COUNTY GOVERNMENT FOR CRIMINAL HISTORY RECORD INFORMATION FROM THE MISSOURI STATE HIGHWAY PATROL AND FEDERAL BUREAU OF INVESTIGATION

Council Member Cronin shared his concerns regarding this bill in that it will allow fingerprinting of not only applicants and volunteers but also current employees. Cronin stated there is already a bill in place that allows for fingerprinting of certain employees. Jennifer George, Asst. Director of Administration explained the Dept. of Justice (FBI) is requesting specific language to be passed by local governments and current employees are within that language. George pointed out the current policy in place with Ord. 19-069 will remain in place and this new bill gives the Dept. of Justice what they are asking for. Cronin continued explaining his concerns as it relates to current employees and a possible amendment may come forth when the bill is up for final passage.

Bill No. 5007 – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF ST. PETERS FOR USE OF ST. CHARELS COUNTY TRANSPORTATION SALES TAX FUNDS FOR ROAD IMPROVEMENTS NEEDED TO SUPPORT THE ECONOMIC DEVELOPMENT LAKESIDE 370 NORTHPOINT DEVELOPMENT PROJECT

Bill No. 5008 – Sponsored by Joe Cronin and Mike Elam – AN ORDINANCE REPEALING CHAPTER 275, OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMo”), RELATING TO REGULATION OF THE SALE OF EPHEDRINE AND PSEUDOEPHEDRINE RELATED

PROJECTS BY ST. CHARLES COUNTY AS ADOPTED BY ORDINANCE 11-062, AND AS AMENDED BY ORDINANCE 11-079

Council Member Cronin stated about 10 years ago when there was a huge meth cooking problem in the State of Missouri this ban on ephedrine and pseudoephedrine products was necessary. Cronin continued by saying according to the MO State Highway Patrol statistics, the meth incidents have seriously declined in the past five (5) years. Cronin noted Tim Lohmar, St. Charles County Prosecuting Attorney and St. Charles County Police Chief Frisz supported this bill. Cronin stated with the passage of this bill, St. Charles County citizens who are allergy sufferers will be able to purchase relief over the counter.

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 announced the Council should be receiving the County Executive’s recommended budget for 2022 in the first week of November and noted the following budget work sessions:

- Monday, Nov. 8th at 5:30 pm.
- Monday, Nov. 29th at 5:30 p.m.
- Monday, Dec. 6th at 5:30 p.m.

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

The meeting adjourned at 8:06 p.m.

Examined and Approved

Mike Elam, Council Chair
St. Charles County, Missouri

/djv