

**St. Charles County Council Journal
Regular Meeting – July 11, 2022**

The St. Charles County Council met on Monday, July 11, 2022, at 7:00 p.m. in the Council Chambers at 100 North Third Street, St. Charles, MO 63301.

Council Chair Schneider introduced Steve Parks with St. Charles Bible Baptist Church who provided the invocation and Councilman Hollander led the Pledge of Allegiance.

The following roll call was taken by the clerk:

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| Councilman Joe Cronin | absent at roll – arrived at 7:04 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 |

County Executive Staff present:

Steve Ehlmann, County Executive
Joann Leykam, Director of Administration
Bob Schnur, Assistant Director of Administration

County Counselor’s Office:

Robert Hoeynck, Associate County Counselor

IN THE MATTER OF)
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PUBLIC PRESENTATIONS)

County Executive Steve Ehlmann was made aware of the vehicle inflation issue in March, 2022 and is hoping Resolution No. 22-10 will drive changes with MO legislators and Governor Parsons. Ehlmann invited St. Charles County Assessor Scott Shipman to provide information on the personal property tax rate.

Shipman stated the tax system is set to provide services for the taxpayers. The Assessor’s office sends both market and assessed values to citizens on forms due back in March of every year. Shipman pointed out with inflation on used cars being so high due to vehicle shortages, it will affect many citizens due to the increased assessed value of their vehicles. The requirement of valuing and assessing motor vehicles based on the trade-in value published in the October, 2021 issue of the National Automobile Dealers’ Association (NADA) Official Car Guide is mandated by RSMo Section 137.115.9. Shipman provided a slide of 2021 and 2022 values for all of the political subdivisions and noted for 2022, it has risen approximately 20%. Shipman explained the process of assessing and pointed out St. Charles County only has two items to address whereas, there are several other political subdivisions involved in the overall tax on personal property and real estate.

Discussion was held regarding the possibility of freezing tax for citizens over 65 and the possibility of suspending the two County tax rates. The outcome from those questions is if you freeze taxes for citizens over 65, the remaining taxpayers will have to pick up the difference to continue to provide services and the governing body of the various political subdivisions can suspend the tax if they choose. Shipman explained there is a state program called the Homestead Exemption for citizens over 65 through a state program to get a refund on their taxes.

County Executive Steve Ehlmann pointed out if the rates are not reduced, the County will see a windfall.

Council Member Elam made a motion to amend the agenda and bring up Resolution No. 22-10, seconded by Council Member Hammond. Council Member Brazil pointed out public comments should be heard prior to voting on anything on the agenda. Councilman Elam removed his motion.

IN THE MATTER OF)
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PUBLIC HEARING)

Council Chair Schneider opened the floor for a Public Hearing on the Citizen Participation Plan for CDBG Consolidated Plan Program Year 2022

Robert Myers, St. Charles County Community Development Planning and Zoning Division Director, provided an overview of this plan. Myers explained the \$1,087,986 will be used in two different ways to help low income citizens within the unincorporated part of the County and seven additional municipalities. Myers listed the first is used for home improvements such as siding, roofing for those who cannot afford to hire a private contractor. With a no interest loan and if you are still living in the home after five years, the loan becomes a grant and repayment is not necessary. The other service is for transportation services for limited rides.

Arnie C. AC Dienoff, County resident complimented the Program Administrator and stated he has contacted the City of O’Fallon to join the St. Charles County CDBG Program in order to not waste money.

Discussion was held regarding the funding for 2022. The approximate \$1.1 million for St. Charles County and the seven municipalities. Also funding for Section 8 housing which is clarified in a separate program, not CDBG, there is a Housing Choice Voucher Program receiving approximately \$4 million dollars to fund Section 8 housing administered by NECAC. Council Member Brazil noted the increase in apartment development in the surrounding cities and questioned if any of the Section 8 money was going to these complexes. Mike Hurlbert, Director of Community Development, stated these apartment complexes are renting at market rate and not utilizing HUD funding. Hurlbert explained the influx of apartments is due to the construction material market being so high, a developer can build apartment complexes cheaper than tract subdivision housing due to price points.

There being no additional speakers, Council Chair Schneider announced the next public hearing on this topic will be Monday, June 25, 2022.

IN THE MATTER OF)
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PUBLIC COMMENTS)

Council Member Cronin stated Bill No. 5083 regarding RZ22-11/2200 Farris County Road will be tabled if anyone in the audience does not want to stay.

Council Chair Schneider opened the floor for Public Comments allowing speakers 3 minutes, with alternating pro and con views on each topic for a total of six speakers per topic.

Resolution No. 22-10

John Behr, Augusta resident, stated his personal property assessment is up 27% on one newer truck. Behr shared that Councilman Brazil tried to get information from County attorneys and was told he could do nothing and now there is a press release out saying other Council Members can lower the burden to taxpayers for the 2022 tax year. Behr also mentioned a resolution for election integrity.

University of MO Extension Service

Deana Dothage, Community Engagement Specialist with the University of MO Extension Service introduced herself and gave a brief overview of her duties related to providing information for the various city officials, so they are aware of the programs the Extension Service has to offer. Dothage invited the County Council to their offices at any time for a tour and explanation of what they do.

Council Member Cronin stated he has been a student of the MO Extension Services and the programs are well worth attending.

Elected Officials' Study

MaryAnn Boatright, St. Peters resident shared her concerns regarding the election irregularities and the grant funds received to purchase election equipment. Boatright noted a work session and resolution was requested to review the election issues and both were denied and requested an audit of the election office.

Elections

Brenda Webb, St. Charles County resident, provided various dates and comments related to St. Charles County Election Authority Kurt Bahr regarding various errors that have occurred during the past elections.

Miscellaneous

Arnie C. AC Dienoff, O'Fallon resident, shared concerns regarding the appointment of Michael Steiniger to the St. Charles County Road Board as he is the owner of an excavating company, the St. Charles County Merit Commission, a County Police investigation and St. Charles County Prosecuting Attorney Tim Lohmar.

**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 Schneider asked if there were any items to be removed from the Consent Agenda.

Hearing none, Councilman Elam made a motion to approve the Consent Agenda as presented, seconded by Councilman Hammond and unanimously approved. The approved items are as follows:

Approval of Journal of the previous meeting – 6-27-2022

Approval of Bids

Nominations and Appointments

Road Board - all terms expiring March 1, 2026

- Michael Steiniger – District 1 - replacing Caleb Hunter
- Rick Masterson – District 2 - reappointment
- Cindy Fox-Griffey – District 3 - reappointment
- Scott Kolkmeyer – District 4 - reappointment

Miscellaneous

- Community Dev. - Findings of Fact, Conclusions of Law, Decision and Order for Bill No. 5073
- Findings of Fact, Conclusions of Law, Decision and Order for Bill No. 5074
- Findings of Fact, Conclusions of Law, Decision and Order for Bill No. 5075

County Executive Steve Ehlmann pointed out Michael Steiniger is the owner of an excavating company, however his seat on the County Road Board is to review projects, not bids.

Council Member Mike Elam made a motion to amend the agenda and bring up Resolution No. 22-10, seconded by Council Member White and unanimously approved.

**IN THE MATTER OF)
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RESOLUTIONS)**

Resolution No. 22-10 – Sponsored by Mike Elam and Nancy Schneider – A RESOLUTION TO ENSURE THE RE-REVIEW OF THE ST. CHARELS COUNTY PERSONAL PROPERTY TAX RATE FOR ROAD AND BRIDGE AND EMERGENCY COMMUNICATONS WITH THE INTENT TO VOLUNTARILY LOWER THE OVERALL TAX RATE TO EFFECTIVELY KEEP FLAT THE AMOUNT OF TAX THE COUNTY COLLECTS IN TAX YEAR 2022 RELATED TO MOTOR VEHICLES COMPARED WITH TAX YEAR 2021 IN ORDER TO ADDRESS THE EFFECTS OF VEHICLE VALUE INFLATION DERIVING FROM VEHICLE SHORTAGES

Council Member Elam invited County Assessor Scott Shipman to respond to questions. Elam questioned how can the rates be rolled back. Shipman replied there are three authorities to taxes, (1) assessing authority, (2), taxing authority and (3) collecting authority. Shipman pointed out it is the taxing authority that the Council has the ability to change.

Discussion was held regarding with the passage of Resolution 22-10, as it will give momentum to other taxing political subdivisions to reduce their rate as well and it send this resolution to the legislative body of MO to amend RSMo. Section 137.073 to eliminate the exception in Missouri statutes which authorizes exclusion of personal property increases in value from the tax rate limitation of the Hancock Amendment and Missouri law and make increases in personal property subject to the roll-back provisions of state statute.

Council Member Brazil shared his concerns with information he recently received from the Counselor's office as it relates to providing relief for taxpayers' personal property taxes. Brazil made a motion to add wording to the resolution as follows, **Reduce Road and Bridge and Emergency Communications tax rate to \$0.00 for one (1) year.** The motion did not receive a second and died.

Council Member Elam stated there was other Council Members who had mentioned they would like their names added to the resolution as sponsor. Council Members Cronin, Hollander and White added their names.

There being no further discussion, Council Chair Schneider 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 and Council Member White – yes. Resolution No. 22-10 was approved by a vote of 6-1.

RESOLUTION NO. 22-07 – Sponsored by Council as a Whole – A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, FINANCIAL ASSISTANCE CENTER'S STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") PURSUANT TO SECTION 602 (B) OF THE SOCIAL SECURITY ACT, AS ADDED BY SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT, (PUB. L. NO. 117-2 (MARCH 11, 2021)), 135 STAT.4, 223-26, FOR THE DARDENNE CREEK STREAM RESTORATION PROJECT

Council Member Cronin stated the Dardenne Creek has been needing attention for years.

There being no further discussion, Council Chair Schneider 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 and Council Member White – yes. Resolution No. 22-07 was unanimously approved.

RESOLUTION NO. 22-08 – Sponsored by Council as a Whole – A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL

RESOURCES, FINANCIAL ASSISTANCE CENTER’S STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE U.S. DEPARTMENT OF THE TREASURY (“TREASURY”) PURSUANT TO SECTION 602 (B) OF THE SOCIAL SECURITY ACT, AS ADDED BY SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT, (PUB. L. NO. 117-2 (MARCH 11, 2021)), 135 STAT.4, 223-26, FOR STORM SEWER AND OUTFALL INSPECTION AND EMERGENCY REPAIRS

Council Member Cronin stated there are many miles of storm sewers and could be a huge liability in the future. Cronin suggested working with County Auditor Brent Statler and Asst. Director of Administration John Greifzu to provide some budget figures for the upcoming budget work sessions.

There being no further discussion, Council Chair Schneider 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 and Council Member White – yes. Resolution No. 22-08 was unanimously approved.

RESOLUTION NO. 22-09 – Sponsored by Council as a Whole – A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, FINANCIAL ASSISTANCE CENTER’S STATE ARPA GRANT PROGRAMS FOR SUBAWARD OF FEDERAL FINANCIAL ASSISTANCE PROVIDED TO THE STATE OF MISSOURI BY THE U.S. DEPARTMENT OF THE TREASURY (“TREASURY”) PURSUANT TO SECTION 602 (B) OF THE SOCIAL SECURITY ACT, AS ADDED BY SECTION 9901 OF THE AMERICAN RESCUE PLAN ACT, (PUB. L. NO. 117-2 (MARCH 11, 2021)), 135 STAT.4, 223-26, FOR STORMWATER IMPROVEMENTS IN THE O’FALLON HILLS SUBDIVISION

Discussion was held regarding the age of the subdivision and the large amount of problems that this funding would help in the subdivision.

There being no further discussion, Council Chair Schneider 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 and Council Member White – yes. Resolution No. 22-09 was unanimously approved.

IN THE MATTER OF BILLS)
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FOR FINAL PASSAGE)

Bill No. 5080 - Sponsored by Nancy Schneider - AN ORDINANCE AMENDING THE 2022 BUDGET OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMO”), APPROVED BY ORDINANCE NO. 21-096 FOR THE ST. CHARLES COUNTY DEPARTMENT OF INFORMATION SYSTEMS, BY REMOVING ONE INFORMATION SYSTEMS COORDINATOR POSITION AND ADDING ONE INFORMATION SYSTEMS FINANCIAL SPECIALIST POSITION

Council Member Elam made a motion to amend Bill No. 5080 and replace it with Substitute Bill No. 5080, seconded by Council Member Hollander and unanimously approved.

Substitute Bill No. 5080 - Sponsored by Nancy Schneider - AN ORDINANCE AMENDING THE 2022 BUDGET OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMO”), APPROVED BY ORDINANCE NO. 21-096 FOR THE ST. CHARLES COUNTY DEPARTMENT OF INFORMATION SYSTEMS, BY REMOVING ONE INFORMATION SYSTEMS COORDINATOR POSITION AND ADDING ONE INFORMATION SYSTEMS FINANCIAL SPECIALIST POSITION, AND AMENDING SECTION 115.710 CONCERNING THE PERSONNEL ADMINISTRATION PLAN, POSITION CLASSIFICATION

There being no further discussion, Council Chair Schneider 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. Substitute Bill No. 5080 was unanimously approved.

Bill No. 5081 - Sponsored by Nancy Schneider - AN ORDINANCE AMENDING THE 2022 BUDGET FOR A RECLASSIFICATION OF A SYSTEM TECHNICIAN I POSITION TO A SYSTEM TECHNICIAN II POSITION WITHIN THE ST. CHARLES COUNTY DEPARTMENT OF EMERGENCY COMMUNICATIONS

There being no further discussion, Council Chair Schneider 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. 5081 was unanimously approved.

Bill No. 5082 - Sponsored by Nancy Schneider - AN ORDINANCE WAIVING LIQUOR LICENSE FEES FOR CERTAIN CONCESSIONS OPERATIONS OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF ST. CHARLES FOR THE PERIOD JULY 1, 2022, THROUGH JUNE 30, 2023

There being no further discussion, Council Chair Schneider 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. 5082 was unanimously approved.

IN THE MATTER OF)
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BILLS FOR INRODUCTION)

Bill No. 5083 – Sponsored by Joe Cronin – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, TO RR, SINGLE-FAMILY RESIDENTIAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, PER APPLICATION RZ22-11

Council Member Cronin made a motion to table Bill No. 5083 as the applicant is not ready to move forward at this time, Council Member Elam seconded the motion and it was unanimously approved. Bill No. 5083 was tabled.

Bill No. 5084 – Sponsored by Nancy Schneider – AN ORDINANCE RELATING TO HOUSING AND COMMUNITY ASSISTANCE AND (1) APPROVING THE 2022 ANNUAL ACTION PLAN FOR ST. CHARLES COUNTY, MISSOURI, IN ITS CAPACITY AS AN URBAN COUNTY FOR FY 2021-2025 UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), AND AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE ALL DOCUMENTS OR CERTIFICATIONS REQUIRED FOR SUBMITTAL TO HUD WITH THE ACTION PLAN AND (2) FURTHER AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE FUNDING APPROVAL/AGREEMENTS THAT HUD SHALL REQUIRE UPON APPROVING THE 2022 ANNUAL ACTION

Bill No. 5085 – Sponsored by Joe Brazil and Dave Hammond – AN ORDINANCE AMENDING SECTIONS 405.060, 410.180 AND 412.080 OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI, THE UNIFIED DEVELOPMENT ORDINANCE, REGARDING PERFORMANCE GUARANTEES TO INCLUDE SURETY BONDS

Council Member Hammond stated surety bonds are cheaper to obtain for the small businessperson who cannot afford the other types of bonds. Hammond noted he is supportive of this bill.

Council Member Cronin stated he was unaware of any issues of the need for surety bonds in his 12 years as a Council Member. Cronin noted he supported the current system.

Council Member Brazil stated he has had conversations with Administration regarding this topic and it was suggested by Asst. Director of Administration John Greifzu to hold a work session on this topic. Council Member Hollander stated he was supportive of a work session.

Mike Hurlbert, Director of Community Development explained the County Counselor recommends to not use surety bonds. Hurlbert pointed out there are some cities that use surety bonds for various parts of a development vs the entire development and discussion was held regarding that possibility. Hurlbert stated the concern is if the County has to rely on the surety bond from a developer who has neglected his development and erosion goes into any type of stream, the County must act on that as quickly as possible even if the insurance money is not available which is then using taxpayer dollars to finish a private development. Also concerning was if a development becomes vacant for any length of time, the neighbors are affected.

Bill No. 5086 – Sponsored by Nancy Schneider – AN ORDINANCE AUTHORIZING EXECUTION OF A COOPERATIVE AGREEMENT BETWEEN ST. CHARLES COUNTY, MISSOURI, AND THE CITY OF ST. PETERS, MISSOURI FOR CONSTRUCTION OF AN ACCESS AREA TO DARDENNE CREEK BLUEWAY AT LONE WOLFF PARK

Council Member Cronin congratulated the Parks Department on this effort to utilize the Dardenne Creek in such a positive manner.

IN THE MATTER OF)
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TABLED BILLS)

Council Member White made a motion to remove Bill No. 5076 from the table, seconded by Council Member Hammond and unanimously approved. Bill No. 5076 was removed from the table.

Bill No. 5076 – Sponsored by John White – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, TO PR, PARK RECREATIONAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, PER APPLICATION RZ22-10

Council Member White made a motion to withdraw Bill No. 5076 due to the applicant withdrawing his application. Council Members Cronin, Elam, Hammond and Hollander concurred. Bill No. 5076 was withdrawn.

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Council Chair Schneider invited Parks and Recreation Director Ryan Graham up to announce the grand opening of Oglesby Park. Graham announced the grand opening for the park is set for Saturday, July 30th beginning with a dedication at 11:30 a.m. and other activities are planned throughout the day. Graham noted the contractor has worked diligently to get this park ready and it has turned out very nice.

Councilman Cronin thanked Ryan and his staff for their hard work and dedication.

There being no further discussion, Councilman Hammond made a motion to adjourn, seconded by Councilman Elam and unanimously approved. The meeting adjourned at 8:45 p.m.

Examined and Approved

Nancy Schneider, Council Chair
St. Charles County, Missouri

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