

**St. Charles County Council Journal
Closed Meeting – March 11, 2019**

The St. Charles County Council met on Monday, March 11, 2019 at 5:45 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, MO for a Closed Meeting.

Council Member Elam made a motion to go into a closed meeting seconded by Council Member Klinghamer pursuant to State Statute RSMo 610.021 (1) and 610.021 (21). The following roll call vote was taken to go into the closed meeting: Council Member Cronin - yes, Council Member Brazil – absent, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Klinghammer – yes and Council Member White – yes.

Discussion of Litigation and Computer Technology pursuant to Section 610.021 (1) and (21).

Council Member Hollander made a motion to go back into Open Session, seconded by Council Member Hollander and unanimously approved by the members present. The Closed Meeting ended at 6:38 p.m.

**St. Charles County Council Journal
Work Session – March 11, 2019**

The St. Charles County Council met on Monday, March 11, 2019 at 6:38 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri for a Work Session.

1. **Update on upcoming legislation related to updating all contractor licensing chapters.** Jared Agee, Division Director for Building and Code Enforcement within the Community Development Department presented a series of slides showing the Council Members the various changes they will be presenting in a bill for introduction at an upcoming Council meeting. Agee explained the changes look drastic, because they are restructuring the various chapters. Agee pointed out the purpose of the bill is for consistency, easier reference, match occupation titles to state terms, eliminate defined terms that serve no purpose, clarifies that licenses are for the purpose authorizing an entity to do business in St. Charles County and for electrical contracting; adjustments to reflect ability to receive a statewide occupation license. Agee presented the Council with a draft bill for review. *Editor's Note: The slide presentation is attached to these minutes and are on file with the County Registrar.*

Council Members asked questions regarding testing for licenses and how they are reviewed.

2. **Other Miscellaneous Topics.** Council Member Cronin questioned why Bill No. 4691 which is to be introduced at the regular meeting only addresses increasing the notification of rezonings and conditional use permits to residents in the agricultural zoned areas. It was explained that former Planning and Zoning Commission member Garry Griffin suggested increasing the notification boundary to be able to reach out to more residents in the agricultural areas because if someone is rezoning a large tract of land, only a few, if any residents could be notified because of the size of the tract.

There being no further discussion, the Work Session ended at 6:56 p.m.

**St. Charles County Council Journal
Regular Meeting – March 11, 2019**

The St. Charles County Council met on Monday, March 11, 2019 at 7:02 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri. Council Member Mike Elam provided the invocation and also led in the Pledge of Allegiance.

The following roll call was taken by the Clerk:

Council Member Joe Cronin	present
Council Member Joe Brazil	absent
Council Member Mike Elam	present
Council Member Dave Hammond	present
Council Member Terry Hollander	present
Council Member Mike Klinghammer	present
Council Member 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’s Office:

- John Watson, County Counselor

IN THE MATTER OF)
)
PUBLIC PRESENTATIONS)

State of the 11th Judicial Circuit Court/Honorable Judge Dan Pelikan

Honorable Judge Pelikan thanked the County Council for the invitation to give an overview of the 11th Judicial Circuit Court. Pelikan reviewed how the 3rd Branch of Government came to be organized and reviewed what type of cases goes through the 11th Judicial Circuit Court. Pelikan reviewed the numerous cases that had come before the court system in 2018 from the most severe to the lesser case. One item Pelikan touched on was the amount of crimes that are committed due to the opioid crisis, alcoholism and mental health and how they effect the court system as well as citizens in the community.

Report to the Community 2018 by County Executive Ehlmann

County Executive Ehlmann presented his Annual Report as required by the Charter to the Council in a slide presentation. *Editor’s note: A copy of the Report is on file with these minutes in the County Registrar’s office.* Highlights from the Report was the Accreditation from CALEA, investing in advanced technology, the completion of the Emergency Operations Center, park openings such as Riverside Landing, The Park at New Melle Lakes and Veterans Tribute Park. Also highlighted was the completion of road projects such as U.S. 61’s project with a new bridge at Route P and Peine Road, the

addition of lanes on Route 364 in the Mid Rivers Mall Drive area, the Route N Environmental Study, and the Gateway Green Light (GGL) Project. Awards highlighted were given to the Dept. of Emergency Communications with the Medical Accredited Center of Excellence accreditation, the Dept. of Public Health for ranking top of Missouri’s Healthiest Counties and the St. Charles County Road Board received the Excellence in Community Development Award. Ehlmann reviewed the General Revenue for St. Charles County and explained sales tax has dropped dramatically while operation costs have risen. Ehlmann pointed out the future will become harder to budget. Ehlmann continued with future items such as continuing to work with MoDOT to improve the bottleneck on Highway 70 near the Norfolk Southern Railroad overpass near Wentzville, construction of Route 364 and Gutermuth Interchange in 2020 and new ramps near Heritage Crossing on Route 94 as well as Muegge Road to Route 94 direct access. Ehlmann concluded with noting there will be a Corrections Study done in 2019 and park development at Riverside Landing, The Park at New Melle Lakes, Veterans Tribute Park and the “Locally Grown: The Major League Ballplayers of St. Charles County” exhibit opening at the Heritage Museum. Also planned for 2019 is the Hays Home opening at Matson Hill Park and the Veterans Memorial opening at Veterans Tribute Park.

Council Chair White thanked the County Executive and noted the County will certainly face challenges in future budgets due to the rise in operational costs and low sales tax revenue.

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

Bill No. 4689 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP18-18 FOR BUILDING, STRUCTURES, OR OPEN SPACES FOR CONDUCTING WEDDINGS AND/OR WEDDING RECEPTIONS OR OTHER PRIVATE PARTIES TO ROBERT G. BRINKMANN AND KIM BRINKMANN, PROPERTY OWNERS

Council Chair White called Division Director for the Planning and Zoning Division, Robert Myers to come up to present an overview of the application. Council Staff swore in Myers. Myers reviewed the application by saying the applicant and owners are requesting a Conditional Use Permit for “buildings, structures or open spaces for conducting weddings and/or wedding receptions or other private parties”. The applicant is proposing to conduct approximately 1 to 2 events per weekend, inside the historic barn, at a future reception pavilion and at a wedding pergola on site, with up to 100 events per year with a maximum guest count of 200 persons per event. The existing historic stone residence adjacent to the barn will be used for bridal party preparation space and accommodations. The other home on the property is proposed to be used to accommodate other wedding party guests. They are also proposing the construction of one new cabin in the middle of the vineyard located on the western side of the property for use as a bride and groom cabin. Myers continued by saying the existing machine shed may be converted to a kitchen that supports onsite weddings and corporate events. The property owner is also proposing to construct a future pavilion on site to be used for outdoor receptions. The applicant and owner state the existing vineyards on the property are for their personal use and will not be used in the business for any other purpose but photography.

Based on the maximum occupancy (200 persons) of the indoor meeting space in the converted barn, a minimum of 52 parking spaces would be required. The property owner proposes adding 171 parking spaces to the property to accommodate the proposed maximum of 200 guests at any one event. The applicant is proposing that 120 of the parking spaces be used regularly and that those would be graveled.

Myers also reviewed the Conditional Use Permit criteria established with the Unified Development Ordinance. Myers made note that the applicant had performed and supplied a sound study to staff and the Planning and Zoning Commission. Myers pointed out the Planning and Zoning Commission approved the application with certain conditions that are currently listed in the bill.

Robert Myers introduced the applicant Robert Brinkmann, who was sworn in by Council Staff. Brinkmann explained the history of his land as it relates to the Boone Family and showed a slide presentation of the various stages of renovation. Brinkmann explained he and his wife are building a house next door to this property and wanted to build something that people can come and enjoy the land and its history.

There being no questions for the applicant, Council Chair White requested the first speaker.

Graeme Garvey, 11 Sunfish Drive, Defiance, MO stated he was not opposed to the Conditional Use Permit, however had several concerns related to various conditions of the permit. Garvey explained the noise levels could easily carry to his area upsetting his quality of life. Garvey also explained the wooded terrain would make it extremely difficult to get fire equipment to the area in the event of a fire from embers left from floating firework displays. Garvey continued by saying he would like to see the alcohol consumption stop 1 ½ hours prior to the end of any function to sober people up before they drive on the dangerous roads in the area. Garvey reiterated he does not oppose the permit, however, is requesting sensible limits to risk his enjoyment of life and any risk of property damage.

The Council Members had no questions for Mr. Garvey.

Arnie C. A.C. Dienoff, P.O. Box 1535, O’Fallon, MO 63366 stated he has spoken during the Planning and Zoning Commission meeting and applauds the applicant for such a fantastic plan and for keeping history alive. Dienoff suggested several items to protect all the parties involved such as limiting the number of guests, stopping alcohol 30 minutes prior to the end of an event, add that all events end at 10:00 p.m., adding a Geiger meter at the property line to monitor noise and time limits for indoor and outdoor events. Dienoff pointed out the Planning and Zoning Commission members did not have adequate time to review the noise study and to add a condition of no shooting of firearms or fireworks. Dienoff pointed out that the fire chief for the New Melle Fire Protection District also had concerns regarding fireworks due to the hilly terrain and dense woods with no fire hydrants in the area. Dienoff suggested the County start a special precinct in southwest St. Charles County to deal with all of the winery and wedding venue customers who drive, drink and speed.

The Council Members had no questions for Mr. Dienoff.

IN THE MATTER OF)
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PUBLIC COMMENTS)

Council Chair White opened public comments. He requested comments be limited to three minutes per speaker with three alternating pro and con positions on any particular topic. He also requested that anyone who addressed the Council fill out a speaker’s card for the record prior to the start of the meeting.

Resolution No. 19-01

Brad Hildebrand – 23 Fox Lake Ct., Hildebrand stated the Better Together movement joining St. Louis County and St. Louis City will happen and encouraged Wildwood and Chesterfield to leave St. Louis County and join St. Charles County. Hildebrand noted Resolution No. 19-01 is a good start for St. Charles County.

Arnie Dienoff – PO Box 1535 O’Fallon MO, - Dienoff shared his concern regarding the Consent Agenda such as the vehicles are being purchased from an out of town vendor and he has offered to serve on County Boards and/or Commissions and noted he has not been asked yet to serve. Dienoff also had concerns regarding public safety and open records of public officials.

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

No report was presented.

IN THE MATTER OF)
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CONSENT AGENDA)

Council Chair White requested consideration of the Consent Agenda. Council Member Hammond made a motion to remove the bid for a tractor w/loader bucket from Heavy Duty Equipment for \$59,000 for the Parks and Recreation Department, seconded by Council Member Hollander and unanimously approved by the members present. Council Member Elam made a motion to approve the Consent Agenda as modified, seconded by Council Member Hammond and unanimously approved by members present. The following items were approved:

Approval of Journal of the previous meeting (2-25-19)

Approval of Bids

- Highway – Ready Mix Concrete/accept all bids - Eastern Missouri Concrete, Kienstra Ready Mix, Schreiter Ready Mix and Landvatter Ready Mix/\$550,000
- Asphaltic Concrete/accept all bids - Fred Weber/NB West Contracting/ Simpson Materials Co./\$1,700,000
- Paint - Road and Thermoplastic Markings, Ozark Materials and Ennis Paint, Inc/\$55,000
- Medium Sized Excavator /Heavy Duty Equipment–Kubota/\$91,695.99

- Parks & Recreation – 2 Replacement Crew Cab, 1Ton, 4x4 Pickup Trucks/Joe Machens Ford/\$66,888
- Veterans Tribute Park Memorial/Ideal Landscape Construction, Inc. \$934,259

- Facilities – Pet Adoption Center Animal Crematory Incinerator Replacement/Demien Const./\$59,692

Approval of Nominations/Appointments

Employee Activity Board - Jessica Zeisler, Highway replacing John Dale, IS

Developmental Disabilities Resource Board

- Joseph Barton – term expires 1-31-22/reappointment
- Daniel Dozer – term expires 1-31-22/reappointment
- James “Todd” Gentry – term expires 1-31-22/reappointment

St. Charles County Road Board

- Debbie Haley – term expires 3-1-23/reappointment/representing District 4
- Daniel Kuntz – term expires 3-1-23/reappointment/representing District 7

- Robert Schmidt – term expires 3-1-23/reappointment/representing the City of Wentzville
- James Tognoni – term expires 3-1-23/reappointment/representing the City of Lake St. Louis

Miscellaneous

Public Health – Veterinary Services for Pet Adoption Center/Tender Care Animal Hospital/\$85,000

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

Bid - Parks & Recreation – Tractor w/loader bucket/Heavy Duty Equipment/\$59,999

Council Chair White explained there was a math error related to this bid and Administration requested to withdraw it and will resubmit it at the March 25, 2019 Council Meeting.

IN THE MATTER OF)
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RESOLUTION NO. 19-01)

Resolution No. 19-01 remained tabled.

IN THE MATTER OF)
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BILLS FOR FINAL PASSGE)

Bill No. 4686 – Sponsored by John White – AN ORDINANCE AMENDING THE 2019 BUDGET ADOPTED AS ORDINANCE 18-117 BY TRANSFERRING UNENCUMBERED APPROPRIATIONS BETWEEN CATEGORIES IN THE INTERNET CRIMES AGAINST CHILDREN TASK FORCE FUND TO FUND THE COST OF A NEW COMPUTER SERVER FOR THE CYBER CRIME UNIT

There being no discussion, Council Chair White requested the following roll call vote: Council Member Cronin – absent, Council Member Brazil – absent, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Klinghammer – yes, Council Member White – yes. Bill No. 4686 was approved by the members present.

Bill No. 4687 – Sponsored by John White - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ST. CHARLES, ON BEHALF OF THE POLICE DEPARTMENT, AND THE UNITED STATES MARSHALS SERVICE REGARDING THE POLICE DEPARTMENT’S PARTICIPATION IN THE VIOLENT OFFENDER TASK FORCE

There being no discussion, Council Chair White requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – absent, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Klinghammer – yes, Council Member White – yes. Bill No. 4687 was unanimously approved by the members present.

Bill No. 4688 – Sponsored by John White AN ORDINANCE AMENDING THE 2019 BUDGET ADOPTED AS ORDINANCE 18-117 BY MAKING A SUPPLEMENTAL APPROPRIATION TO THE CYBER CRIME UNIT, POLICE CRIMINAL INVESTIGATIONS DIVISION IN THE AMOUNT OF \$7,500 FOR THE PURPOSE OF FUNDING THE PURCHASE OF MISCELLANEOUS EQUIPMENTAND SUPPLIES FOR THE CYBER CRIME UNIT

There being no discussion, Council Chair White requested the following roll call vote: Council Member Cronin – yes, Council Member Brazil – absent, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Klinghammer – yes, Council Member White – yes. Bill No. 4688 was unanimously approved by the members present.

IN THE MATTER OF)
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BILLS FOR INTRODUCTION)

Bill No. 4690 – Sponsored by Joe Brazil – AN ORDINANCE AMENDG THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, TO RR, SINGLE-FAMILY RESIDENTIAL DISTRICT, AS PER APPLICATION RZ18-12

Bill No. 4691 – Sponsored by Council as a Whole – AN ORDINANCE AMENDING SECTIONS 405.510.D, AND 405.535.B OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI (“OSCCMO”) THE UNIFIED DEVELOPMENT ORDINANCE (“UDO”) RELATING TO NOTIFICATION REQUIREMENTS FOR PROPERTIES SUBJECT TO REZONING AND CONDITIONAL USE PERMIT APPLICATION AND APPROVAL PROCESSES

Bill No. 4692 – Sponsored by John White – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN EAST-WEST GATEWAY COUNCIL OF GOVERNMENTAL FINANCIAL ASSISTANCE SUB-AWARD AGREEMENT FOR MICROWAVE ROUTER UPGRADES AT ST. CHARLES COUNTY SITES

Bill No. 4693 – Sponsored by John White – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIV E TO EXECUTE AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF PUBLIC SAFETY TO DEPLOY ONE OR MORE MEMBERS OF THE DIVISION OF EMERGENCY MANAGEMENT TO THE COMMUNICATIONS UNIT

Bill No. 4694 – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE NONBINDING PROJECTED TAX RATES OF THE COUNTY FOR THE GENERAL REVENUE FUND AND FOR VARIOUS SPECIAL FUNDS OF AND FOR THE COUNTY OF ST. CHARLES, MISSOURI, FOR THE YEAR 2019 IN ORDER TO DEVELOP THE NOTICE OF PROJECTED TAX LIABILITY TO ACCOMPANY THE ASSESSOR’S NOTICE OF ASSESSED VALUE, ALL AS MANDATED BY SENATE BILL 711 (2008)

Council Member Cronin questioned why St. Charles County cannot raise property tax. Finance Director Bob Schnur replied it is because of the Hancock Amendment that was approved by the State legislators that counties must remain revenue neutral. Schnur explained This rollback is required by State Statute to prevent revenue windfalls from the reassessment process. Schnur continued by saying in calculating County tax rates the County can recognize new revenue from new construction and there’s a cost of

living adjustment that the Office of Administration generally releases every year that is an allowance to increase revenues.

Bill No. 4695 – Sponsored by Council as a Whole – AN ORDINANCE REPEALING IN ITS ENTIRETY SECTION 115.230, HARASSMENT POLICY, OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMO”), AND ENACTING A NEW SECTION 115.130 ANTI-HARASSMENT POLICY, OSCCMO, AMENDING SECTION 115.370.D, ADMINISTRATION OF THE MERIT SYSTEM, OSCCMO, AMENDING SECTION 115.410.B.3.d APPOINTMENT, AND AMENDING SECTION 115.460.B, DISCIPLINARY ACTION, OSCCMO

IN THE MATTER OF)
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TABLED BILLS)

No bills were removed from the table.

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Council Member Elam announced the St. Charles County Expo was held at the center court in Mid Rivers Mall on Saturday, March 9th and it was a huge success with several departments represented for citizens to come and find out what their county does for them.

Council Member Cronin announced the Shriner’s Circus will be coming to the Family Arena next week and stated it is a wonderful circus and benefits Shriner hospitals across the country that services cripple children no matter what financial situation the family is in. Cronin pointed out there are several ticket deals available.

Council Member Elam announced there will be a Soft Skills Training Workshop held on Thursday, April 4th from 8:00 to noon at the St. Charles Community Collage for \$20.00 and encouraged businesses to consider being a part of this training. Elam explained for more information or to registrar contact Fay Aubuchon at 636-922-8233 or faubuchon@stchas.edu

There being no further comments Council Member Elam made a motion to adjourn, seconded by Council Member Klinghammer and unanimously approved. The meeting adjourned at 8:30 p.m.

Examined and Approved

John White, County Council Chair
St. Charles County, Missouri

/djb