

**St. Charles County Council Journal
Regular Meeting – April 8, 2019**

The St. Charles County Council met on Monday, April 8, 2019 at 7:00 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri. Mark Reardon with Harvester Christian Church in St. Charles provided the invocation and Council Member Hollander led in the Pledge of Allegiance.

The following roll call was taken by the Clerk:

Council Member Joe Cronin	present
Council Member Joe Brazil	present
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)
CONDITIONAL USE PERMITS)
BILLS FOR FINAL PASSAGE)**

Councilman Hammond motioned to remove Bill No. 4689 from the table, seconded by Councilman Elam and approved by all. Council Member Brazil thanked the Council for their patience during his two-meeting absence. Council Member Brazil noted 83 acres of the Brinkman property will be put into a Conservation Easement which adds to the benefits of this venue.

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

There being no further discussion Council Chair White 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 Klinghammer – yes and Council Member White – yes. Bill No. 4689 was approved by a vote of 7-0.

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.

Tim Brown, 163 Dew Ct., St. Peters, MO– Expressed concerns with the fees related to Sheriff tows of vehicles. Brown stated the cost was 4 times higher than a regular tow, \$50.00 per day for storage was too much, there was no contact/phone call before tow and the County doesn't request bids for towing. Director of Administration, Joann Leykam, said she would contact Brown to address his question regarding towing bids.

Robert Shatro, 3153 Hopewell Rd., Wentzville, MO– Shatro is requesting 6.23 acres be rezoned from Agricultural to Residential and stated he would be present to answer any questions regarding Bill No. 4700.

Graeme Garvey, 11 Sunfish Dr., Defiance, MO – Garvey thanked Council for limitations imposed on CUP18-18, but stated Council fell short on limitations concerning alcohol. Garvey will continue to monitor and track alcohol and DUI related incidents in the area following events at the Brinkman venue and will petition for more limitations if there is an uptick in those incidents.

Andrew Hunn, Corporate Security Manager, Mastercard International – Hunn thanked the County & Police for working with him on Bill No. 4706 and stated the need for licensed security is greater in these current times. Hunn stated he would be present to answer questions regarding Bill No. 4706.

Arnie Dienoff, PO Box 1535, O'Fallon, MO – Dienoff stated County towing contract should be reviewed, would like to see more traffic services free to County residents (i.e. jumps, lock outs, flat tires,). Dienoff shared his concerns regarding County spending and urged local purchases. Dienoff noted that increased fees for recycling would discourage recycling.

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. Councilman Klinghammer made a motion to approve the Consent Agenda as presented, seconded by Councilman Elam and approved by members Brazil, Hammond, Hollander, White. Councilman Cronin opposed. The approved items are as follows:

CONSENT AGENDA

Approval of Journal of the previous meeting (3-25-19)

Approval of Bids

Police – Law Enforcement and Rescue Airboat/American Airboat Corp./\$88,000.00

Roads and Traffic – GGL Maintenance and On-Call/Gerstner Electric, Inc./\$116,730.00

Highway – Tires/Best One Tire Fleet Services/\$60,000 annual estimate

– Half Ton 4-Wheel Drive Pickup Trucks/Don Brown Chevrolet/\$81,969.00

– Rubber Tire Highlift Loader/Erb Equipment Co., Inc./\$131,010.00

Information Systems – Dell Rugged Laptops and Docking Stations for Police and Sheriff/Dell Marketing through the MHEC Co-op/\$122,638.05

– Dell Desktop, Laptops, Docks & Monitors for 2019 Replacements/Dell Marketing through the MHEC Co-op/\$108,341.79

Parks & Recreation – Change Order #2/Riverside Park Design and Engineering Services/Intuition & Logic Engineering, Inc./\$28,900.00

Highway – Approval of Acquisition of Parcels 4 & 5/Geisman/David Hoekel Pkwy. Phase I

– Approval of Acquisition of Parcels 17 & 26/Renz/Nisbet/David Hoekel Pkwy. Phase 4

– Approval of Acquisition of Parcel 9/Busch/Salt River Road/Arrowhead Dr. signal & lane widening

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

Resolution No. 19-01 remained tabled from 2-25-19

IN THE MATTER OF)
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BILLS FOR FINAL PASSGE)

Bill No. 4696 - Sponsored by John White - AN ORDINANCE AMENDING SECTION 243.020 ORDINANCES OF ST. CHARLES COUNTY, MISSOURI ("OSCCMO"), RELATING TO FEES FOR RECYCLING

There being no discussion, Council Chair White 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 Klinghammer – yes and Council Member White – yes. Bill No. 4696 was approved by a vote of 7-0.

Bill No. 4697 – Sponsored by Council as a Whole - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS WITH CERTAIN MUNICIPALITIES FOR ENFORCEMENT AND PROSECUTION OF VARIOUS CODES ADOPTED BY THE MUNICIPALITIES AND ENFORCED BY THE ST. CHARLES COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

There being no discussion, Council Chair White 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 Klinghammer – yes and Council Member White – yes. Bill No. 4697 was approved by a vote of 7-0.

Bill No. 4698 – Sponsored by John White - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT BETWEEN THE U.S. GEOLOGICAL SURVEY (“USGS”) AND ST. CHARLES COUNTY, MISSOURI FOR DEVELOPMENT OF A FLOOD INUNDATION MAP TO SUPPORT FLOOD WARNING FOR DARDENNE CREEK IN ST. CHARLES COUNTY, MISSOURI

Council Member Brazil inquired who was putting the map together and if it would result in federal regulations on landowners or map revisions. Michael Hurlburt, explained the USGS would be using existing stream gauges on Dardenne Creek to map where potential floodwater would rest. Council Member Brazil called Community Development Director Michael Hurlburt. to the dais who explained the USGS would be using existing stream gauges on Dardenne Creek to map where potential floodwater would rest. Hurlburt stated that no Federal Regulations will be imposed on homeowners because of this map.

There being no further discussion, Council Chair White 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 Klinghammer – yes and Council Member White – yes. Bill No. 4698 was approved by a vote of 7-0.

IN THE MATTER OF)
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BILLS FOR INTRODUCTION)

Bill No. 4699 – 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 RR, SINGLE-FAMILY RESIDENTIAL ISTRICT, AS PER APPLICATION RZ19-02

Council Member Brazil called Mark Gottfried to the dais to explain his request. Gottfried said there are 3 acre lots in this subdivision community, the lot in question is 3.71 acres with .71 acres divided by a road the community uses to get to a lake. The .71 acres is extremely steep and useless to homeowner. He explained the homeowner’s association would acquire the .71 acres for possible additional parking.

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 and Council Member White – yes.

Bill No. 4700 – 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 WITH FLOODWAY FRINGE OVERLAY DISTRICT, TO RR, SINGLE-FAMILY RESIDENTIAL DISTRICT WITH FLOODWAY FRINGE OVERLAY DISTRICT, AS PER APPLICATION RZ19-03

Council Member Brazil called applicant/property owner Rob Shatro to the dais to explain his request. Shatro stated he is requesting 6.23 acres rezoned from A-Agricultural to RR-Residential for the purpose of 2 lots to build upon. There is a floodway through the property that has been considered. Council Member Brazil clarified the property will not be zoned commercial.

Bill No. 4701 – Sponsored by Council as a Whole – AN ORDINANCE AMENDING THE 2019 BUDGET APPROVED BY ORDINANCE NO. 18-117 FOR THE ST. CHARLES COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT, DIVISION OF BUILDING AND CODE ENFORCEMENT, BY REMOVING ONE GOVERNMENT SERVICES REPRESENTATIVE II POSITION AND ADDING ONE GOVERNMENT SERVICES REPRESENTATIVE III POSITION.

Council Member Klinghammer requested explanation of the difference in position duties and the impact and cost of making the change. Community Development Director Hurlbert noted there is an unfilled GSR II position in the department and those budget funds cover the approximate \$3,000 difference in position salary. Hurlbert said efficiencies would be improved because the GSR III candidate would have permit certifications and could process permits quickly.

Klinghammer requested supporting information be noted in the summary for future changes.

Bill No. 4702 – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE SURFACE TRANSPORTATION PROGRAM SUPPLEMENTAL AGREEMENT, FEDERAL PROJECT STP-7302(669), WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR ACQUISITION OF RIGHT OF WAY FOR WORK ASSOCIATED WITH THE CONSTRUCTION OF AN INTERCHANGE AT ROUTE 364 AND GUTERMUTH ROAD

Bill No. 4703 – Sponsored by Council as a Whole – AN ORDINANCE ESTABLISHING NEW TRAFFIC REGULATIONS AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF

Council Member Cronin stated his district was pleased with the approval of a stop sign at Deer Creek.

Bill No. 4704 – Sponsored by John White - AN ORDINANCE AUTHORIZING EXECUTION OF DOCUMENTS FOR RECEIPT OF GRANT FUNDS UP TO THE AMOUNT OF \$7,000

FROM THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES, AND FURTHER AMENDING ORDINANCE 18-117 BY PROVIDING RELATED SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE PREPAREDNESS AND CRI GRANTS DIVISION BUDGET OF THE DEPARTMENT OF PUBLIC HEALTH

Bill No. 4705 – Sponsored by John White - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR FINANCIAL ASSISTANCE, GRANT AGREEMENT NO. #2019003, BETWEEN ST. CHARLES COUNTY AND THE ST. LOUIS-JEFFERSON SOLID WASTE MANAGEMENT DISTRICT FOR RECEIPT OF FUNDS IN AN AMOUNT UP TO \$100,000, AND FURTHER AMENDING ORDINANCE 18-117 BY PROVIDING RELATED SUPPLEMENTAL APPROPRIATIONS TO THE BUDGET OF THE ENVIRONMENTAL DIVISION BUDGET OF THE DEPARTMENT OF PUBLIC HEALTH

Dave Hammond called Hope Woodson to the dais who stated this grant has been received yearly in the past.

Bill No. 4706 – Sponsored by Council as a Whole - AN ORDINANCE AMENDING SECTIONS 605.010 TO 605.140 OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI (“OSCCMo”) CONCERNING THE LICENSING OF WATCHMEN AND SECURITY OFFICERS

Council Member Brazil called Police Chief Todd to the dais to explain the purpose of this bill. Chief Todd explained security guard firms need licensing because their officers are held to a higher standard and the County wants to ensure proper training for dealing with the public. Todd noted private companies can have an armed staff member who does not require licensing. Council Member Cronin put forth questions about conceal carry from his constituents concerning lifetime permits and the department that issues those permits. Chief Todd explained the State has not forwarded the forms to issue lifetime permits and the Police department would handle that duty versus the Sheriff Department per the County Charter.

Bill No. 4707 – Sponsored by John White - AN ORDINANCE AMENDING THE 2019 BUDGET ADOPTED BY ORDINANCE 18-117 TO ADD ONE (1) ADDITIONAL POSITION OF ASSISTANT COURT CLERK II TO THE MUNICIPAL COURT

Council Member Klinghammer expressed concern about funding a new position when General Revenue funds are diminishing. Klinghammer requested background information and how the County will pay for position. Director of Administration Leykam, explained that the State has closed a fines collection center resulting in 30% more tickets being processed locally. The Municipal court will collect ticket fees which will offset the wages for the new position and provide a timely day in court for those affected.

Bill No. 4708 – Sponsored by Council as a Whole - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH NORTH EAST COMMUNITY ACTION CORPORATION (“NECAC”) TO ACT AS GRANT

SUBRECIPIENT IN MANAGING HOUSING CHOICE VOUCHERS ASSIGNED TO THE ST. CHARLES COUNTY HOUSING ASSISTANCE PROGRAM

IN THE MATTER OF)
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TABLED BILLS)

Council Member Hammond motioned to remove Bill No. 4680 from the table, seconded by Council Member Hollander and approved by all members present.

Council Member Hammond motioned to replace Bill No. 4680 with Substitute Bill No. 4680 seconded by Joe Brazil and approved by all members present. Council Chair White called for discussion to the substitute bill. Council Member Hammond explained the change in the substitute bill added wording making appeal to the County Council possible if Community Development denied development at the new slope thresholds. Council Member Cronin expressed disapproval that this bill changes the rules of the entire County for one subdivision. Council Member Hammond stated slope thresholds in other subdivisions exceed 30% and Council Member Elam also cited variances can be obtained to build on slopes with a steep grade.

There being no further discussion, Council Chair White requested the following roll call vote: Council Member Cronin – no, Council Member Brazil – yes, Council Member Elam – no, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Klinghammer – yes Council Chair White - yes. Substitute Bill No. 4680 was approved by a vote of 5 yes and 2 no.

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Council Member Brazil announced a 6:00 p.m. work session prior to the April 29, Council Meeting to discuss Resolution 19-01, that opposes the statewide vote called for in the “Better Together” plan. John Hancock and John Lamping will give presentations representing both side of the topic. Discussion was held concerning status, funding, and language of the unification plan for St. Louis City/County. Council Member Brazil explained that a substitute resolution is forthcoming.

Council Member Elam announced that Workforce Development will host a “Spring Career Expo” at the Spencer Library on April 16, 5:00 p.m.– 7:00 p.m.

There being no further discussion, Council Member Elam made a motion to adjourn, seconded by Council Member Hammond and unanimously approved. The meeting adjourned at 8:13 p.m.

Examined and Approved

John White, County Council Chair

/csf

St. Charles County, Missouri

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