

**St. Charles County Council Journal  
Regular Meeting – October 28, 2019**

The St. Charles County Council met on Monday, October 28, 2019 at 7:03 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri. Council Member Mike Elam provided an invocation and Council Member Hammond 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 Nancy Schneider	present
Council Member John White	absent

County Executive Staff present:

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

County Counselor’s Office:

John Watson, County Counselor

**IN THE MATTER OF** )  
**CONDITIONAL USE PERMITS** )  
**BILL FOR FINAL PASSAGE** )

**Bill No. 4771 - CUR19-05(B) - AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUR19-05(B) FOR AUTOMOBILE AND TRUCK SALES TO GOLDEN B.C., L.L.C., PROPERTY OWNER, AND BENSON AUTOMOTIVE PROPERTIES, APPLICANT**

For the record Council Member Brazil noted that Bill No. 4771 contained a corrected set of minutes, revised maps, and Exhibit C was timely received.

Discussion was held concerning the proposed use of this property as a car dealership. Council Member Cronin stated his concerns about the impact to traffic on Technology Dr., noting the lack of a traffic study, the lack of road dedication or comment from MoDOT, and the lack of a designated offloading area on the site plan. Council Member Brazil stated his support of the request noting low impact to the neighboring subdivision and other non-tech surrounding businesses that are currently allowed. Council Member Hollander stated he believed the use was suitable for the land and Council Member Hammond stated there is no congestion along Technology Dr. in the evenings. Robert Myers, Planning and Zoning Division Director, explained that after the use is approved, the site plan and platting processes will determine if a traffic study or road widening is required.

There being no further discussion, Council Vice-Chair Brazil requested the following roll call vote: Council Member Cronin – no, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member White – absent/no. Bill No. 4771 was approved 5-2.

**IN THE MATTER OF** )  
 )  
**PUBLIC COMMENTS** )

Arnie A.C. Dienoff – O’Fallon, exclaimed that corruption, fraud, discrimination and unethical behavior in County government must come to a halt.

Mike Snowden – City Administrator for O’Fallon, MO, stated that the City of O’Fallon filed a remonstrance for CUR19-05(A) based on the small size of the property for a car dealership and the lack of a traffic study. Snowden suggested other uses, like a high-tech supplier, would better suit the area, and stated O’Fallon doesn’t think this is the highest and best use of the property.

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

There was no oral report presented.

**IN THE MATTER OF** )  
 )  
**CONSENT AGENDA** )

Council Vice-Chair Brazil requested consideration of the Consent Agenda. Council Member Elam made a motion to accept the Consent Agenda as presented, seconded by Council Member Hollander. Five Council Members approved, Council Member Cronin opposed, and Council Member White was absent. The approved items are as follows:

**Approval of Journal of the previous meeting 10-15-19 Regular Meeting**  
**Approval of Bids**

- Finance – Ten (10), 2020 Chevrolet Tahoe Pursuit Vehicles/Don Brown Chevrolet/\$338,390.00
- Finance – Nineteen (19), 2020 Dodge Charger Pursuit Vehicles/Behlman Dodge Chrysler/\$490,561.00
- Highway – Route 364 at Gutermuth Road Interchange STP-7302(669)/J.M. Marschuetz Construction/\$5,150,309,59
- Parks and Recreation – Historic Courthouse Exterior Wood Door Rehab and Replacement/Seals Enterprises, Inc./\$247,612.00
- Public Health – Knuckleboom Grapple Truck/Key Equipment & Supply/\$148,804.00

**Nominations and Appointments**

- Educational Assistance Board – Lauren Gehner/Highway Dept.- reappointment - term expires 9-15-22
- Daniel Keen/Corrections - reappointment - term expires 9-15-22

**Miscellaneous**

- Highway – Change Order #2/19-064 Concrete Removal and Replacement 2019/M & H Contractors, Inc./\$117,996
- Registrar – Records Destruction Request, Public Administrator

**IN THE MATTER OF** )  
 )  
**BILLS FOR FINAL PASSGE** )

**Bill No. 4772** - Sponsored by: Joe Brazil - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM R1E, SINGLE-FAMILY RESIDENTIAL DISTRICT, AND R1A, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO C2, GENERAL COMMERCIAL DISTRICT, AS PER APPLICATION CUR19-05(A)

For the record Council Member Hammond noted that Bill No. 4772 contained a corrected set of minutes and revised maps.

Council Member Elam motioned to amend Bill No. 4772 in the last Whereas as follows...~~[A simple majority of the County Council is required for passage of this bill.]~~ **The City of O’Fallon has submitted a written protest (legal remonstrance) against the proposed subject rezoning action pursuant to Section 405.535.B.3 of the Ordinance of St. Charles County, Missouri (OSCCMo), therefore, the supermajority vote of five (5) of the total seven (7) Council Members is required to pass this bill.** The amendment was seconded by Council Member Hammond and approved by Council Members Elam, Brazil, Hammond, Hollander, Schneider, opposed by Council Member Cronin.

Council Member Elam stated he agreed this was not the highest and best use of this property, yet the property owner has the right to take the offer with the proposed use. Council Member Hollander noted O’Fallon had never attempted to annex this land within the past 5 years which would have put it in their jurisdiction.

There being no further discussion, Council Vice-Chair Brazil requested the following roll call vote: Council Member Cronin – no, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes and Council Member White – absent/no. Bill No. 4772 was approved 5-2.

**Bill No. 4773** - 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 DENSITY FLOODWAY OVERLAY DISTRICT, TO C2, GENERAL COMMERCIAL DISTRICT, WITH DENSITY FLOODWAY OVERLAY DISTRICT, PER APPLICATION RZ19-11

For the record Council Member Brazil noted that Bill No. 4773 contained a corrected set of minutes.

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4773 was approved 6-1.

**Bill No. 4774** - Sponsored by: Joe Brazil - AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM PR, PARK RECREATIONAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, TO A, AGRICULTURAL DISTRICT, WITH FLOODWAY FRINGE OVERLAY DISTRICT, PER APPLICATION RZ19-12

For the record Council Member Hammond noted that Bill No. 4774 contained a corrected set of minutes.

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4774 was approved 6-1.

**Bill No. 4775** – Sponsored by: Mike Elam - AN ORDINANCE AUTHORIZING TWO AGREEMENTS RELATING TO ST. CHARLES COUNTY'S "URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM" OR "URBAN COUNTY CDBG PROGRAM" FOR 2017 THROUGH 2019, NAMELY: A PROGRAM ADMINISTRATION AGREEMENT BETWEEN ST. CHARLES COUNTY AND THE CITY OF ST. CHARLES FOR THE CITY'S OPERATION OF THE URBAN COUNTY'S 2019 PROGRAMS AND SERVICES, AND A SUBRECIPIENT AGREEMENT BETWEEN ST. CHARLES COUNTY AND THE CITY OF ST. CHARLES FOR THE CITY'S OPERATION OF THE CITY'S 2019 PROGRAMS AND SERVICES.

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4775 was approved 6-1.

**Bill No. 4776** - 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" FOR 2017 THROUGH 2019, NAMELY: A 2019 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 Vice-Chair Brazil 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 – absent/no. Bill No. 4776 was approved 6-1.

**Bill No. 4777** - Sponsored by: Council as Whole - AN ORDINANCE APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE GATEWAY GREEN LIGHT PROGRAM, FEDERAL PROJECT CMAQ-5414(632)

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4777 was approved 6-1.

**Bill No. 4778** - Sponsored by: John White - AN ORDINANCE SETTING THE 2020 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 Schneider clarified the rates were the same as in the year 2019.

There being no further discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4778 was approved 6-1.

**Bill No. 4779** - Sponsored by: John White - AN ORDINANCE AMENDING THE 2019 BUDGET- ADOPTED BY ORDINANCE 18-117 FOR POSITIONS WITHIN THE ST. CHARLES COUNTY SHERIFF'S DEPARTMENT AND ROADS AND TRAFFIC DIVISION

Council Member Hammond motioned to amend Bill No. 4779 with Substitute Bill No. 4779 seconded by Council Member Elam and unanimously approved.

**Substitute Bill No. 4779** - Sponsored by: John White - AN ORDINANCE AMENDING THE 2019 BUDGET- ADOPTED BY ORDINANCE 18-117 FOR POSITIONS WITHIN THE ST. CHARLES COUNTY SHERIFF'S DEPARTMENT AND ROADS AND TRAFFIC DIVISION AND FINANCE DEPARTMENT

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Substitute Bill No. 4779 was approved 6-1.

**Bill No. 4780** - Sponsored by: John White - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE CURATORS OF THE UNIVERSITY OF MISSOURI REGARDING THE TRANSFER AND ACCEPTANCE OF CERTAIN ROADWAYS AND IMPROVEMENTS AT THE MISSOURI RESEARCH PARK

There being no discussion, Council Vice-Chair Brazil 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 – absent/no. Bill No. 4780 was approved 6-1.

Council Member Cronin thanked John Watson, County Counselor, for his hard work with the University of Missouri on this project.

**IN THE MATTER OF )  
BILLS FOR )  
INTRODUCTION )**

**Bill No. 4781 – Sponsored by: Council as a Whole – AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDED “ST. CHARLES COUNTY REGIONAL DRUG TASK FORCE AGREEMENT” FOR THE COUNTY’S MULTI-JURISDICTIONAL DRUG TASK FORCE**

**Bill No. 4782 - Sponsored by: Council as a Whole - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT BETWEEN ST. CHARLES COUNTY, MISSOURI, AND THE UNITED STATES ATTORNEY’S OFFICE FOR THE EASTERN DISTRICT OF MISSOURI IN CONJUNCTION WITH THE MISSOURI HIGHWAY PATROL AS FISCAL AGENT AND MICHAEL K. FAGAN AS AN INDEPENDENT CONTRACTOR**

**Bill No. 4783 - Sponsored by: Council as a Whole – AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT TO ALLOW CERTAIN LAW ENFORCEMENT AGENCIES TO PARTICIPATE IN AND UTILIZE THE ST. CHARLES COUNTY POLICE DEPARTMENT SUBSTANCE TOBACCO ALCOHOL RESISTANCE TRAINING (“S.T.A.R.T.”) PROGRAM**

Council Member Hammond questioned if the County charged for this training to which Joann Leykam, County Administrator, replied neither schools nor other cities pay for this training.

**IN THE MATTER OF )  
TABLED BILLS )**

**Bill No. 4770 – Sponsored by: John White – AN ORDINANCE CALLING FOR THE AMENDMENT OF THE CHARTER IN THE FORM OF A PROPOSITION REQUIRING THAT CONSUMER BE INFORMED OF TAX RATES IN COMMUNITY IMPROVEMENT DISTRICTS WITHIN ST. CHARLES COUNTY ON THE AUGUST 4, 2020, BALLOT (Tabled 10-15-19)**

No bills were removed from the table.

**IN THE MATTER OF )**  
**ANNOUNCEMENTS AND )**  
**MISCELLANEOUS )**

Council Member Cronin suggested that County Council consider a bill to keep large items off the consent agenda allowing more opportunity for discussion. Cronin stated as a Council Member he feels a duty to explain to residents the justification for large purchases. Cronin stated the upcoming Budget Work Sessions would be a good time for conversations on spending. Council Member Brazil requested Council Member Cronin draft a proposed bill.

Council Member Hammond explained the County’s Fleet Management sale process for used vehicles, stating cars are sold at a certain mileage to get the most resale value for the used cars. Council Member Brazil agreed and noted the sealed bid process brings in a good price for the used cars.

Council Member Elam called Scott Drachnik, with St. Charles County Workforce Development, to the podium to announce the National Apprenticeship 101 Breakfast Forum on Thursday, Nov. 14, from 8-9:30 a.m. for job seekers and employers. Drachnik stated there are IT and Automotive apprenticeship opportunities available now through Workforce Development. Drachnik also announced an I.T. Career and Training Expo would take place on Dec. 9<sup>th</sup> at the Missouri Job Center at 212 Turner Blvd from 4-6 p.m., to kick off the 4<sup>th</sup> annual Hour of Code, (computer science education week) and a whole week of code workshops and opportunities that are all free and open to the public. Drachnik stated that unemployment in St. Charles County is at 1.8 % , the lowest it has been since 1999.

Council Member Elam motioned to adjourn, seconded by Council Member Hammond. The meeting adjourned at 7:46 p.m.

Examined and Approved

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

/csf