St. Charles County Council Journal
Regular Meeting – April 13, 2020

The St. Charles County Council met on Monday, April 13, 2020 at 7:00 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri. Councilman Elam gave the invocation and Councilman White led 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 present

County Executive Staff present:

Steve Ehlmann, County Executive
Joann Leykam, Director of Administration

County Counselor’s Office:

John Watson, County Counselor

County Counselor, John Watson, explained that (pursuant to the County’s COVID-19 Declaration of Emergency) participation in this meeting would occur by electronic means or submitted written comment consistent with the agenda, and would be incorporated into the record. The Agenda stated:

PUBLIC ATTENDANCE WILL ONLY BE PERMITTED THROUGH VIRTUAL PRESENCE LIVE VIA CHARTER SPECTRUM CHANNEL 993, THE COUNTY WEBSITE (https://tv.sccmo.org/CablecastPublicSite), OR OUR SCCMOTV YouTube CHANNEL

IN THE MATTER OF )
CONDITIONAL USE PERMITS )
BILLS FOR INTRODUCTION )

Bill No. 4835 - Sponsored by Joe Cronin - AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP20-01 FOR (1) OUTDOOR STORAGE OF BOATS AND RECREATIONAL VEHICLES, AND (2) STORAGE OF CONSTRUCTION EQUIPMENT AND HEAVY MACHINERY (NEW AND USED) TO TMM WENTZVILLE, L.L.C., PROPERTY OWNER

Planning and Zoning Division Director, Robert Myers, was sworn in and stated the 2 related use permits met the criteria of the Planning and Zoning Commission who recommended approval with conditions by a vote of 6-0. Myers explained the area is already zoned industrial and in no need of sewer or water, that a gravel lot is typical for heavy equipment storage, and any dust problem would be mitigated. Myers stated the applicant has submitted a concept plan that will be adhered to.
Councilman Cronin stated he surveyed the site and noted it as a good location for this use as the property is surrounded by other storage. Cronin explained that gravel lots best suit heavy equipment storage with asphalt being too easily damaged and said there would be landscaping requirements. Cronin stated the request caused no controversy in his district and he recommended approval.

Steve Layne, applicant, linked live to meeting via Webex, was sworn in and stated his plan to store mainly 5th wheels, camper trailers, and possibly boats. Layne stated his long-term intention to relocate his 10,000 square foot construction office to the site with storage containers behind the office.

Arnie Dienoff, O’Fallon, via written submission, stated he is in favor of the request with conditions regarding privacy fencing, allowed vehicles and restricted sales activity.

**Bill No. 4836 - Sponsored by Joe Cronin - AN ORDINANCE AMENDING ORDINANCE NO. 17-070 GRANTING CONDITIONAL USE PERMIT CUP17-06 FOR A RURAL RECREATIONAL ACTIVITY, AND A FACILITY FOR WEDDINGS, WEDDING RECEPTIONS, AND OTHER EVENTS, TO EDWARD AND TAMI BARRIEAU, PROPERTY OWNERS**

Planning and Zoning Division Director, Robert Myers, explained this bill amends the first conditional use permit related to wedding venues, and requests extended hours of operation, extended months of operation and an increased event capacity. Myers stated the Planning and Zoning Commission voted 6-0 in favor of the requests, and recommended Council’s approval.

Discussion was held detailing the owner’s conscientious operation of the venue, successful events and positive reviews.

Edward Barrieau, applicant, linked live to meeting via Webex, was sworn in and explained that neighbors are in support of his requests and he has received no negative comments.

Arnie Dienoff, O’Fallon, via written submission, stated he is in favor of the request with conditions of 10:30 p.m. closing time, no amplified music after 9:45 p.m. and closing barn doors.

Councilman Brazil made a motion to amend the closing time from 10:45 p.m. to 11:00 p.m., seconded by Councilman Cronin and unanimously approved.

**IN THE MATTER OF**

**IN PUBLIC HEARING**

Council Chair Hollander opened the public hearing on a request to vacate a portion of Old Duello Road near the intersection of Duello Road and Highway N in connection with a planned road realignment.

Arnie Dienoff, O’Fallon, via written submission, requested an appraised/market value of the property and a referral to the County Auditor for review.

There being no additional speakers, Council Chair Hollander closed the public hearing.
Council Chair Hollander opened public comments. Hollander explained due to the unusual circumstances with the COVID-19 Pandemic, the Council posted their “Tentative Agenda” on Wednesday, April 8, 2020 instructing anyone wishing to submit a public comment to do so by Monday, April 13, 2020 at 5:00 p.m. Those comments received will be placed with the County Registrar as part of the official record. Hollander explained the Council will hear a total of six comments alternating pro and con views on any agenda item or the COVID-19 Response. The following are the comments read out loud:

Thomas and Roberta DuBray, via written submission, requested rezoning of their property at 2949 West Meyer Road, to return to A1 agricultural with 3+ acre minimum lot size, as it was when they purchased the property in 1995. Dubray stated the request is well within the 2030 County Master Plan projections.

Arnie Dienoff, O’Fallon, via written submission, stated he is opposed to how the County is currently holding public meetings. Dienoff stated closing the council meeting to the public is illegal and in violation of Missouri State Law, the Revised State Statutes, the County Charter and the councilmembers’ Oaths of Office. Dienoff noted the reason given for closed meetings is not one of the 18 allowed by 610.021 of the Revised State Statutes.

County Executive, Steve Ehlmann, stated information regarding COVID-19 is updated daily on the County website and thanked all those in county government who have been working so diligently on this crisis. Ehlmann gave way to the Director of Administration, Joann Leykam, who explained a temporary multi-jurisdictional morgue would be opening in Earth City on Friday, April 17. Leykam explained the morgue was a response to the area hospitals’ anticipated needs.

Councilman Brazil discussed at which point responses to COVID-19 would be based on actual County numbers, not media projections. Brazil stated County case numbers were not like New York City. Ehlmann responded that we need “to prepare for the worst, hope for the best” and per capita rates of COVID-19 are high in our region. Ehlmann noted the CAREs Act will help with reimbursement cost.

Council Chair Hollander asked if there were any consent agenda items to be removed.

Councilman Cronin stated he had researched the major purchases on this consent agenda and felt the items were essential. Cronin acknowledged the donation from Centene Corporation and noted the County would only be responsible for a portion of the large data sharing expense.
Approval of Journal of the previous meetings – 3-30-2020 meeting

Approval of Bids

Highway – Sewer Inspection and Grout Rehab Truck/EJ Equipment/$360,500.00
Information Systems – IS Managed Security Services, 4-year contract/SpearTip, LLC/$779,728.00
Facilities Management – Work Order Software/Dude Solutions/$55,497.00

Nominations and Appointments

Miscellaneous

Highway – Change Order #1- Rte. 364 at Gutermuth Rd. Interchange/J.M. Marschuetz Construction
$93,505.63

Parks & Recreation – Change Order #1 – Parks Composting Restroom Waterline Installation/TGB, Inc./$19,250.00

Police – Acceptance of Donation for Bullet Proof Vests from Centene Foundation

Transportation – Professional Services – Regional ITS Data Sharing Initiative/Univ. of MO/$1,500,000

Findings of Fact, Conclusions of Law, Decision, and Order – Bill No. 4816/VAR19-06

Findings of Fact, Conclusions of Law, Decision, and Order – Subst. Bill No. 4822/VAR20-01

Councilman Brazil motioned to approve the consent agenda as presented, seconded by Councilman Hammond and unanimously approved.

IN THE MATTER OF

RESOLUTIONS

RESOLUTION NO. 20-02 – Sponsored by Council as a Whole, A RESOLUTION ADOPTING THE ST. LOUIS REGIONAL HAZARD MITIGATION PLAN 2020-2025, AS UPDATED IN 2019

There being no discussion, Council Chair Hollander 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. 20-02 was unanimously approved.

IN THE MATTER OF

EMERGENCY BILLS

Emergency Bill No. 4841 – Sponsored by Terry Hollander – AN EMERGENCY ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS OR MEMORANDA OF UNDERSTANDING BETWEEN ST. CHARLES COUNTY AND OTHER GOVERNMENTS, INCLUDING LOCAL, STATE, AND/OR MUNICIPAL GOVERNMENTS, DUE TO THE COVID-19 STATE OF EMERGENCY

There being no discussion, Council Chair Hollander 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. Emergency Bill No. 4841 was unanimously approved.

IN THE MATTER OF

BILLS FOR FINAL PASSAGE

Bill No. 4832 – Sponsored by Joe Brazil – AN ORDINANCE VACATING A PORTION OF OLD DUELLO ROAD PURSUANT TO SECTION 228.160 RSMo AND APPROVING A REAL PROPERTY EXCHANGE AGREEMENT RELATED THERETO

There being no discussion, Council Chair Hollander 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. Bill No. 4832 was unanimously approved.

Bill No 4833 – Sponsored by Terry Hollander – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR FINANCIAL ASSISTANCE, GRANT AGREEMENT NO. #2020003, BETWEEN ST. CHARLES COUNTY AND THE ST. LOUIS-JEFFERSON SOLID WASTE MANAGEMENT DISTRICT FOR RECEIPT OF FUNDS IN AN AMOUNT UP TO $60,000

There being no discussion, Council Chair Hollander 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. Bill No. 4833 was unanimously approved.

IN THE MATTER OF

BILLS FOR INTRODUCTION

Bill No. 4837 - 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, TO RR, SINGLE-FAMILY RESIDENTIAL DISTRICT, AS PER APPLICATION RZ20-01

Councilman Cronin stated he made the applicant aware of the new ordinance regarding minor subdivisions and 5+ acre tracts.

Thomas DuBray, applicant linked live to meeting via Webex, stated his preference for 3+ acre tracts because of their manageability. DuBray stated he wouldn’t like a small lot subdivision on this 160-acre property and asked for Council’s consideration of his request.

Bill No. 4838 – Sponsored by Craig Tajkowski - AN ORDINANCE AUTHORIZING EXECUTION OF MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION’S STATE BLOCK GRANT AGREEMENT, AMENDMENT #3, AIRPORT IMPROVEMENT PROGRAM GRANT –
PROJECT 16-111A-2, TO EXTEND THE PROJECT TIME PERIOD TO ALLOW FOR COMPLETION OF THE WORK FOR DESIGN RUNWAY ELECTRICAL LIGHTING SYSTEM REHABILITATION AND NEW VAULT AT ST. CHARLES COUNTY REGIONAL AIRPORT - SMARTT FIELD

Bill No. 4839 – Sponsored by Council as a Whole - AN ORDINANCE APPROVING AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR IMPROVEMENTS NEEDED TO REDUCE CONGESTION ON I-70 FROM CAVE SPRINGS BOULEVARD TO FAIRGROUNDS ROAD

Councilman Cronin shared information he received from a MoDOT representative, encouraging citizens to ask their state representatives for second round COVID-19 funding to keep our local road projects on track.

Bill No. 4840 - Sponsored by Council as a Whole - AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE FORM INTERGOVERNMENTAL AGREEMENTS FOR GOVERNMENTAL AGENCIES TO USE THE COUNTY EMERGENCY OPERATIONS CENTER AT 1400 T R HUGHES BLVD., O’FALLON, AS A CONTINUITY OF OPERATIONS SITE

IN THE MATTER OF )

TABLED BILLS )

There were no bills removed from the table.

IN THE MATTER OF )
ANNOUNCEMENTS AND )
MISCELLANEOUS )

Councilman White commented that those who can afford it, could send a check to their hair stylist or personal groomers, to support local businesses during stay at home.

Director of Administration, Leykam, noted this week nationally honors dispatchers and 911 operators and Leykam recognized and applauded the County dispatchers for their work during the COVID-19 response.

Councilman Cronin passed along comment that the Emergency Operations Center and the new Chief of Police have positively impacted the County’s response to COVID-19.

There being no further discussion, Council Chair Hollander requested a motion to adjourn.
Councilman Elam motioned to adjourn, seconded by Councilman Hammond and unanimously approved.

The meeting adjourned at 8:01 p.m.
Examined and Approved

Terry Hollander, Council Chair
St. Charles County, Missouri