St. Charles County Council Journal
Regular Meeting – January 11, 2021

The St. Charles County Council met on Monday, January 11, 2021 at 7:00 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri.

Jack Huffman with the Salvation Army provided the invocation and Councilman Hammond led in the Pledge of Allegiance.

The following roll call was taken by the Clerk:

Councilman Joe Cronin  present
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

Jennifer George, Assistant Director of Administration
John Greifzu, Assistant Director of Administration

County Counselor’s Office:

Rory O’Sullivan, Acting County Counselor

IN THE MATTER OF
)
ELECTION OF CHAIR
)

Councilwoman Schneider nominated Councilman Elam for Council Chair, seconded by Councilman White. There being no additional nominations, Council Chair Hollander closed the nominations. Councilman Elam was elected Council Chair with 5 councilmembers in favor and Councilmember Cronin opposed. Council Chair Elam continued the meeting.

IN THE MATTER OF
)
ELECTION OF
)
VICE-CHAIR
)

Councilman Hollander nominated Councilwoman Schneider for Council Vice-Chair seconded by Councilman Hammond. There being no additional nominations, Council Chair Elam closed the nominations. Councilwoman Schneider was elected Council Vice-Chair with all in favor.
IN THE MATTER OF

PUBLIC COMMENTS

Council Chair Elam opened Public Comments. Elam requested comments be limited to three minutes per speaker with three alternating pro and con positions on a topic.

Bill No. 4918
Debbie Ferreira, St. Charles County resident, questioned the R3B zoning request when no multi-family homes are proposed. Ferreira noted inconsistent setback requirements and requested a traffic study to address already poor sightlines and congestion along Dingedine Rd that she believes would worsen with the proposed subdivision.

Drew Weber, attorney representing the applicant - Rowles Homes, explained R3B zoning in top quadrant of the plan is for consistency with surrounding multi-family homes to the north. Weber stated R1E is the proposed zoning for the south part of the plan. Weber stated there are 119 single family home sites (no multi-family proposed) each with at least a minimum lot size of 7,000 sq. ft. Weber stated these are the first new homes in the area in 15 years.

Bill No. 4914
Brad Temme, Director of Engineering for the City of St. Charles, spoke in support of funding roads in the Riverpointe development. Temme explained Riverpointe is part of the adopted Envision 2030 Plan which encourages mixed use campuses (specifically at Arena Pkwy) to promote pad ready sites for Class A offices. Temme stated the proposed streets will be in a grid pattern, consistent with the area and will be owned by the City. Temme stated the 34-acre development is important for city tourism and requested Council’s support.

Richard Orr, St Charles County resident and representative for the Conservation Federation of MO, shared concerns about losing natural wetlands, the natural urban oasis of Bangert Island and old growth forest. Orr noted development would increase flooding, saddle taxpayers for cleanup, damage the Katy trail experience, and degrade the ecosystem of the Bangert Slough. Orr stated the plan has become less environmentally destructive over time but still needs to be moved out of the floodplain. Orr requested the Council not support the bill.

Mike Klinghammer, Economic Development Director for the City of St. Charles, outlined the projected economic impact of the development including 4,000 total jobs, $57 million in new wages, and an additional $300,000 in property tax revenue. Klinghammer stated the development encompasses one quarter of the City’s river frontage and is a true opportunity to critically impact the tax base by $1.2 million in new tax revenue. Klinghammer noted the $7 million would be repaid to the County in 5 years as return on investment.

Robert Greve, St Charles City resident, stated he has opposed the project for over 2-years, feels there has been no meaningful collaboration with residents on the concept and it is not the best use of the land. Greve stated he has proposed alternatives plans and distributed protest petitions to improve the bill. Greve stated sustainability is not at the heart of the project and questioned if the touted economic growth is needed. Greve asked the Council to refer to their own Resolution 16-01 regarding flood prone areas.
*Editor’s note: The Council received two additional letters concerning Bill No. 4914 requesting they be included in the public record. Those additional letters are on file with these minutes at the County Registrar’s office.

Bill No. 4919
Joe Brazil, applicant and property owner, explained a rezoning request to enlarge his current RV park by 2.8 acres adding 20 sites and providing an additional exit. Brazil noted that the current sites are booked through November 2021.

Dan Tripp, Defiance resident and Defiance/Augusta business owner, shared his support for the rezoning request as the RV park has increased revenues and tourism in the area. Trip stated the Defiance Merchants Association supports and needs more lodging in wine country.

Miscellaneous
Arnie Dienoff, O’Fallon City resident, shared his concerns about facilities issues, opposed Riverpointe spending as corporate welfare, opposed buying fleet vehicles from St. Louis County, pointed to possible conflict of interests with current board appointments and opposed spending on County lobbyist.

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

Executive Ehلمann yielded his time to Joann Leykam, Director of Administration, to explain distribution of vaccines in our County. Leykam stated The Federal Government gave the Governor of Missouri control of the COVID vaccine distribution/prioritization plan. The state determines who gets vaccinated according to this plan that is viewable online at covidvaccine.mo.gov
Leykam explained the need for vaccinators, the County has 60 vaccinators. The first distribution of vaccine mainly went to hospitals and nursing homes. The County has administered 400 Moderna shots and is approved to order 1,950 doses of the Pfizer vaccine. Leykam thanked Bayer Corp. who loaned the County an ultra-low freezer to assist in storage. County residents can sign up for the vaccine online after taking a short survey on the County website. The County is planning large scale vaccination events and no negative reactions to the vaccine have been reported other than sore arms.

Comments were made on the slow distribution/roll out of vaccines to date and that things should start moving more quickly soon.

IN THE MATTER OF )
CONSENT AGENDA )

Council Chair Elam asked if there were any items to be removed from the Consent Agenda.

There being nothing to remove, Councilman White made a motion to approve the Consent Agenda as presented, seconded by Councilman Hollander and unanimously approved. The approved items are as follows:
Approval of Journal of the previous meetings – 12-21-2020

Approval of Bids
Highway – Schwede Road Realignment – Krupp Construction - $265,991.34
  – Prof. Services for Lake St. Lois Blvd. Extension Project – Bartlett & West, Inc. –
    $373,358.00
  – Prof. Services for Duellor Road Phase IIIA Reconstruction Project – Great River
    Engineering, Inc. - $119,870.00
Finance – 2020 Ford Explorer Police Utility Pkg. Vehicles – Lou Fusz Ford - $1,004,970.00
Corrections – Prof. Services for Supplemental Nursing Services – Accountable Healthcare Staffing,
  Inc./$290,000

Nominations and Appointments

Miscellaneous
Council – Change the date of the regular meeting of 5-31-21 @ 7:00 p.m. to 5-24-21 @ 7:00 p.m.
  – Change the dates of the regular meetings in December, 2021 from 12-13-2021 and
    12-27-21 at 7:00 p.m. to 12-6-21 and 12-20-21 at 7:00 p.m.

IN THE MATTER OF ITEMS
REMOVED FROM THE
CONSENT AGENDA

Parks and Recreation – Change Order #1 – Prof. Services – Re-Design and Development of Youth
Activity Park – Patti Banks Associates, LLC dba Vireo - $219,500.00

IN THE MATTER OF
BILLS FOR FINAL PASSAGE

Bill No. 4913 - Sponsored by John White – AN ORDINANCE SETTING FINAL SPECIAL
ASSESSMENTS ON PROPERTIES WITHIN THE SARATOGA HEIGHTS SANITARY SEWER
NEIGHBORHOOD IMPROVEMENT DISTRICT, FINDING THAT THE SARATOGA HEIGHTS
SANITARY SEWER NEIGHBORHOOD IMPROVEMENT DISTRICT PROJECT IS
COMPLETED, AND ASSESSING THE COSTS OF SUCH PROJECT AGAINST THE
PROPERTIES LIABLE THEREFORE, AND PROVIDING FOR THE COLLECTION OF SUCH
FINAL SPECIAL ASSESSMENTS

There being no discussion, Council Chair Elam requested the following roll call vote: Councilman
Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes,
4913 was unanimously approved.

Bill No. 4914 – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE
COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE
CITY OF ST. CHARLES FOR USE OF ST. CHARLES COUNTY TRANSPORTATION SALES
TAX FUNDS FOR ROAD IMPROVEMENTS NEEDED TO SUPPORT THE RIVERPOINTE
DEVELOPMENT PROJECT
Councilwoman Schneider explained Riverpointe is in her district and a no vote by the Council would not stop the project which is endorsed by the State Legislature and Governor and is consistent with the County’s 2030 Master Plan. Although she agrees the bill could be more palatable, she is prepared to vote now.

Councilman Cronin expressed his opposition to this bill as it is floodplain development and uses taxpayer dollars for unqualified expenses, namely filling in the floodplain. Cronin thinks Bangert Island should be protected and support of the bill is hypocritical as the County Council warned against the same type of development across the river. Cronin shared concerns about flooding, that the roads don’t improve transportation and that the permit is not currently approved by the Corps of Engineers. Cronin repeated the sentiment that risky development of floodplain should happen with private dollars.

There being no further discussion, Council Chair Elam requested the following roll call vote: Councilman Cronin – no, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Bill No. 4914 was approved 6-1.

Bill No. 4915 – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH THE CITY OF WELDON SPRING FOR CERTAIN LAW ENFORCEMENT SERVICES, INCLUDING PATROL SERVICES AND ENFORCEMENT OF CERTAIN MUNICIPAL ORDINANCES RELATED TO POLICE SERVICES

There being no discussion, Council Chair Elam requested the following roll call vote: Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Bill No. 4915 was unanimously approved.

Bill No. 4916 – Sponsored by Terry Hollander – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE INTERGOVERNMENTAL AGREEMENTS WITH THE FEDERAL BUREAU OF INVESTIGATION TO PROVIDE FOR THE RENOVATION, CONSTRUCTION AND JOINT-USE SERVICES OF THE EXISTING ST. CHARLES COUNTY POLICE TRAINING FACILITY

Council staff stated exhibits to this bill were timely received and posted.

There being no discussion, Council Chair Elam requested the following roll call vote: Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Bill No. 4916 was unanimously approved.

Bill No. 4917 – Sponsored by Terry Hollander – AN ORDINANCE RESCINDING ORDINANCE 19-077 AND REQUIRING THE FINGERPRINTING OF LICENSEES IN CONCEALED CARRY SECURITY OFFICER, SECURITY OFFICER, WATCHMAN, APPLICANT FOR A TOW TRUCK BUSINESS LICENSE, AND APPLICANT FOR A TOW TRUCK OPERATOR LICENSE FOR CRIMINAL HISTORY RECORD INFORMATION FROM THE MISSOURI STATE HIGHWAY PATROL AND FEDERAL BUREAU OF INVESTIGATION
Councilman Brazil questioned rescinding this requirement. County Counselor, Rory O’Sullivan explained it replaces 19-077 with more stringent requirements.

There being no further discussion, Council Chair Elam requested the following roll call vote:
Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes and Councilman White – yes. Bill No. 4917 was unanimously approved.

IN THE MATTER OF

BILLS FOR INTRODUCTION

Bill No. 4918 – Sponsored by John White – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM R1B, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R3B, MULTI-FAMILY RESIDENTIAL DISTRICT (12.2 ACRES) AND R1E, SINGLE-FAMILY RESIDENTIAL DISTRICT (28.6 ACRES), AS PER APPLICATION RZ20-13

Bill No. 4919 – Sponsored by Terry Hollander – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, WITH FLOODWAY AND FLOODWAY FRINGE OVERLAY DISTRICTS, TO PR, PARK RECREATIONAL DISTRICT, WITH FLOODWAY AND FLOODWAY FRINGE OVERLAY DISTRICTS, AS PER APPLICATION RZ20-14

Councilman Brazil read the following statement: “Pursuant to Section 110.020 Conflict of Interest, of the Ordinances of St. Charles County Missouri, I am hereby disclosing on the record of the St. Charles County Council that I have a personal interest as the applicant and property owner in the matter of Bill No. 4919, and that I shall disqualify myself from voting on any matters relating to this interest.”

Bill No. 4920 – Sponsored by Council as a Whole – AN ORDINANCE AMENDING SECTIONS 405.260, 405.270 AND 405.275, ORDINANCES OF ST. CHARLES COUNTY, MISSOURI TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY’S (FEMA) FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS

Planning and Zoning Director, Robert Myers, explained the new maps include changes to only 4 properties in Unincorporated St. Charles County.

Bill No. 4921 – Sponsored by Terry Hollander – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE FORM INTERGOVERNMENTAL AGREEMENTS FOR GOVERNMENTAL ENTITIES TO USE THE ST. CHARLES COUNTY BACKUP DISPATCH CENTER AT 1605 WENTZVILLE PARKWAY, WNETZVILLE

Bill No. 4922 – Sponsored by Council as a Whole – AN ORDINANCE PLACING ON THE BALLOT OF THE TUESDAY, APRIL 6, 2021 GENERAL MUNICIPAL ELECTION, PROPOSED AMENDMENTS TO ARTICLE IV OF THE ST. CHARLES COUNTY CHARTER, AND IF ENACTED BY THE VOTERS, AMENDING THE CHARTER BY ADJUSTING THE QUALIFICATIONS TO SERVE AS THE DIRECTOR OF ADMINISTRATION, DIRECTOR OF
THE FINANCE DEPARTMENT, DIRECTOR OF THE INFORMATION SYSTEMS DEPARTMENT, AND THE COUNTY COUNSELOR, SUCH AMENDMENT OF THE CHARTER TO BE EFFECTIVE UPON CERTIFICATION OF THE ELECTION RESULTS

Councilman Cronin expressed his objection to the bill citing the lack of advance notice or explanation from the executive staff and Cronin wants to honor those who drafted the charter by requiring residency restrictions. Councilman Brazil requested that if a bill states it is sponsored by “Council as a Whole”, then councilmembers should be notified. Discussion was held concerning the cost of placing this bill on the ballot.

IN THE MATTER OF

TABLED BILLS

There were no Tabled Bills removed.

IN THE MATTER OF
ANNOUNCEMENTS AND
MISCELLANEOUS

Councilman Brazil shared that he had no prior knowledge of recent land and building purchases in Augusta by Mr. Hoffman who plans to spend $100 million in the area. Brazil noted that changes may be coming as a result of this investment but reminded everyone there are ordinances and requirements in place that still need to be followed.

Council Chair Elam thanked councilman Hollander for his service as immediate past chair and for his service to the planning and zoning commission.

Council Chair Elam motioned to adjourn seconded by Councilwoman Schneider and unanimously approved.

The meeting adjourned at 8:05 p.m.

Examined and Approved

[Signature]
Mike Elam, Council Chair
St. Charles County, Missouri