

**St. Charles County Council Journal
Regular Meeting – January 30, 2023**

The St. Charles County Council met on Monday, January 30, 2023, at 7:00 p.m. in the Council Chambers at 100 North Third Street, St. Charles, MO 63301.

Council Chair Hollander introduced Council Member Mike Elam who provided the invocation and Council Member Nancy Schneider led the Pledge of Allegiance.

The following roll call was taken by the clerk:

Councilman Matt Swanson	present
Councilman Joe Brazil	present
Councilman Mike Elam	present
Councilman Dave Hammond	present
Councilman Terry Hollander	present
Councilwoman Nancy Schneider	present
Councilman Tim Baker	present

County Executive Staff present:

Steve Ehlmann, County Executive
Joann Leykam, Director of Administration
John Greifzu, Assistant Director of Administration
Bob Schnur, Assistant Director of Administration

County Counselor's Office:

Rory O'Sullivan, Acting County Counselor

IN THE MATTER OF)
CONDITIONAL USE PERMITS)
BILLS FOR FINAL PASSAGE)

Bill No. 5134 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-08A FOR CAMPGROUND TO KAG 144, LLC PROPERTY OWNERS(S)

Council Member Brazil stated he supports these four CUPs regarding camping, a farm stand for local vendors, rural activity and the wedding venue. Brazil pointed out the land could have been used for 5 acre lots bringing in approximately 15 homes with no approval from County government and that these uses are less intrusive.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5134 was unanimously approved.

Bill No. 5135 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-08B FOR A COMMERCIAL FARM STAND TO KAG 144, LLC, PROPERTY OWNER(S)

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5135 was unanimously approved.

Bill No. 5136 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-08C FOR A RURAL RECREATIONAL ACTIVITY TO KAG 144, LLC, PROPERTY OWNERS(S)

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5136 was unanimously approved.

Bill No. 5137 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-08D FOR BUILDINGS, STRUCTURES, OR OPEN SPACES FOR CONDUCTING WEDDINGS AND/OR WEDDING RECEPTIONS OR OTHER PRIVATE PARTIES, TO KAG 144, LLC, PROPERTY OWNERS(S)

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5137 was unanimously approved.

Amended Bill No. 5138 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-09(A) FOR A COMMERCIAL FARM STAND TO CRAIG SMITH, RYAN SMITH, AND DARLENE SMITH, PROPERTY OWNERS(S)

Council Member Brazil stated this was a small business for a farm stand, farm to table restaurant and other activities that fits the surrounding agricultural area. Also, Brazil pointed out the County has not received any complaints for this activity. Brazil noted he supports all three CUPs.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Amended Bill No. 5138 was unanimously approved.

Amended Bill No. 5139 – Sponsored by Michael Hurlbert – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-09(B) FOR A RURAL RECREATIONAL ACTIVITY TO CRAIG SMITH, RYAN SMITH, AND DARLENE SMITH, PROPERTY OWNER(S)

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member

Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Amended Bill No. 5139 was unanimously approved.

Amended Bill No. 5140 – Sponsored by Joe Brazil – AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP22-09(C) FOR A RESTAURANT TO CRAIG SMITH, RYAN SMITH, AND DARLENE SMITH, PROPERTY OWNER(S)

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Amended Bill No. 5140 was unanimously approved.

IN THE MATTER OF)
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PUBLIC COMMENTS)

Council Chair Hollander opened the floor for Public Comments allowing speakers 3 minutes, with alternating pro and con views on each topic for a total of six speakers per topic.

Dwain Jansen, resident of St. Charles County stated his opposition to the tax increase ballot issue going to the voters regarding marijuana tax. Janson noted his concern was not knowing what the tax revenue will be used for.

Arnie C. AC Dienoff, resident of O’Fallon, MO thanked the Highway Department for their snow removal efforts, questioned why the Council voted for a ballot issue for a tax on marijuana sales and requested the lobbying and advocate reports that are provided to the County Executive’s office weekly.

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

County Executive Steve Ehlmann thanked the Highway Department workers for a great job during the past two snow events. Also, Ehlmann congratulated St. Charles County Police Chief Kurt Frisz on the Auto Theft Task Force with the local police chiefs that has cut theft in half. Joann Leykam, County Director of Administration also thanked the Emergency Communications dispatchers from the icy storm event on Sunday, Jan. 29th saying they dealt with 239 incidents in a 12-hour period.

IN THE MATTER OF)
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CONSENT AGENDA)

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

Council Member Baker thanked Asst. Director of Administration John Greifzu and his staff for working with the RFP w/Horner & Shifrin regarding the Drainage Study & Stormwater Assessment – Heritage Subdivision.

Council Member Baker also noted there was only one bid for the Professional Services contract for the Hepperman Road Phase II project and there were four proposals sent out. Baker shared that there are other engineering companies that would be interested in doing work for the County. John Lyons, County Highway Engineer stated out of the four, two firms indicated they did not have the time and one firm missed the deadline. Lyons pointed out they are reviewing the process and will be working on a new list for future projects.

There being no further discussion, Council Member Elam motioned to approve the Consent Agenda as presented, seconded by Council Member Hammond and approved by all present. The approved items are as follows:

Approval of Journal of the previous meetings – 1-9-2023 and 1-19-2023

Approval of Purchases

Highway – Professional Services – Drainage Study & Stormwater Assessment – Heritage Subdivision/Horner-Shifrin/\$178,808.00

– Professional Services – Hepperman Road, Phase II/Great River Associates, Inc. \$215,000.00

– Professional Services – Interstate Drive Extension to Route T -ROW Design/Horner & Shifrin/\$389,756.00

Information Systems – 2023 Annual Server replacement/Software House International/\$74,445.73

Nominations and Appointments

St. Charles City-County Library Dist. – Renee Tillman/reappointment/term expires 7-31-25

– Matthew Seeds/term expires 7-31-25 replacing Joann Leykam

Metropolitan Parks and Recreation District Board Appointment

- Dr. Bernard DuBray, city of St. Peters, re-appointment, term expires 1-1-26

- McGraw Millhaven, city of Weldon Spring, filling position formerly held by Jennifer George, term expires 1-1-25

Miscellaneous

Highway – Change Order #1/Full Depth Asphalt Reconstruction Project/E. Meier Contracting, Inc. \$446,085.75

IN THE MATTER OF)

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BILLS FOR FINAL PASSAGE)

Bill No. 5141 – Sponsored by Joe Brazil – AN ORDINANCE AMENDING ORDINANCE NO. 15-123 GRANTING CONDITIONAL USE PERMIT CUP NO. 15-09 FOR AUTOMOBILE SALES & REPAIR TO PARMINDER SINGH

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5141 was unanimously approved.

Bill No. 5142 – Sponsored by Mike Elam – AN ORDINANCE AMENDING ORDINANCE NO. 13-102 GRANTING CONDITIONAL USE PERMIT CUP NO. 21008 FOR A TELECOMMUNICATIONS TOWER AT 150 FEET TALL TO DONALD J. TWILLMAN AND DELORES M. TWILLMAN REVOCABLE LIVING TRUST

There being no discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5142 was unanimously approved.

Bill No. 5143 – Sponsored by Tim Baker – AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM R1A, SINGLE FAMILY RESIDENTIAL DISTRICT, TO R1C, SINGLE-FAMILY RESIDENTIAL DISTRICT, PER APPLICATION RZ22-18

Council Member Swanson requested a review of how this property fell out of compliance. Robert Myers, Community Development’s Division Director of Planning and Zoning responded none of the lots in this subdivision are one acre in size. This request was prompted when a property owner gave a strip of land to a neighbor for setback purposes and the deed was never recorded. This rezoning must take place before the proper recording can be performed. Also, Myers noted this does fit in the County’s Master Plan.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, and Council Member Baker – yes. Bill No. 5143 was unanimously approved.

IN THE MATTER OF)
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TABLED BILLS)

Council Member Swanson made a motion to remove Bill No. 5125 from the table, seconded by Council Member Brazil and unanimously approved.

Bill No. 5125 – 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 CO, COMMERCIAL OFFICE DISTRICT, PER APPLICATION RZ22-17

Council Member Swanson explained this area was used for commercial purposes for the past 20 years and after beginning with a C2 request through the Planning and Zoning process has changed the use to CO which was approved by the Planning and Zoning Commission as well as staff. Swanson noted he was in support of this rezoning.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes and Council Member Baker – yes. Bill No. 5125 was unanimously approved.

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Council Member Brazil announced the annual St. Patrick's Day Parade in Defiance will be March 11, 2023 beginning with a 5K run at 10:00 a.m. and the parade at noon. Brazil pointed out there will be vendors, food, beer and music and invited everyone to attend.

There being no further discussion, Council Member Elam motioned to adjourn, seconded by Council Member Hammond and unanimously approved. The meeting adjourned at 7:25 p.m.

Examined and Approved

A handwritten signature in blue ink, appearing to read "T. Hollander", written over a horizontal line.

Terry Hollander, Council Chair
St. Charles County, Missouri

/djv