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

The St. Charles County Council met on Monday, July 13, 2020, at 7:00 p.m. in the County Council Chambers, 100 North Third Street, St. Charles, Missouri. Council Member Mike Elam provided the invocation and Councilwoman White 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 absent
- Councilman John White present

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

Council Member Cronin made a motion to amend the agenda and allow County Executive Steve Ehlmann to present an update on COVID-19 in St. Charles County. Council Member Elam seconded the motion and it was unanimously approved by the members present.

County Executive Ehlmann presented a series of slides showing the various statistics of COVID-19 cases in age groups in the months of March through current date July, 2020 and also the range of cases throughout the metropolitan region. Ehlmann pointed out the seriousness of the spike in July’s cases with the 20-30 age group. Ehlmann announced as County Executive he would not place a mask mandate on the citizens of St. Charles County, however he stressed the residents of St. Charles County have been and continue to be responsible and will respect other people’s space by wearing masks and/or social distancing from each other. Ehlmann stressed the importance of getting the economy and St. Charles County up and running again. Ehlmann also explained how important it is to get the kids back in school for the upcoming year and beyond. Editor’s Note: The power point presentation is on file with these minutes in the office of the County Registrar.

Council Members invited MO Senators Bob Onder and Bill Eigel to speak in response to the County Executive’s presentation.

MO Senator Bob Onder thanked the County Executive for his leadership as well as the MO Governor and President Trump and the region’s leaders. Onder explained his background as a medical doctor, attorney and clinical researcher and stated this pandemic is unprecedented as any seen before. Onder
continued as time passes, so does the data. Onder pointed out the importance of continuing testing and educating people and to get the kids back to school.

MO Senator Bill Eigel also thanked the leadership and pointed out lots of people want government intervention in a crisis such as this pandemic, however St. Charles County is not mandating anything at this point and that is why St. Charles County is one of the fastest growing counties in the State of Missouri and the reason why people are moving into St. Charles County to be a part of the community. Eigel also urged schools to open in the fall.

Council Member Brazil thanked the County Executive for not mandating masks as the media is urging everyone to go that way. Brazil pointed out there are lots of cases because there are so many more tests being given.

Council Member Cronin stated his personal situation is different with elderly family members in nursing homes and agreed mandates do not work, however he urged people to be more careful and use common sense.

Council Member Elam thanked the State Senators and the County Executive and also urged common sense in being around other people.

Council Chair Hollander explained the County Council office has received several comments via e-mail and noted they will be included in the record on file with these minutes in the office of the County Registrar. Hollander invited speakers in the audience who submitted a speaker card regarding masks to be called.

Brynn Sanders, resident of St. Peters stated she was in favor of a mask mandate. Sanders explained while wearing masks is not popular, it helps stop the spread of the disease. Sanders compared mandating masks to when wearing seatbelts became a law saying at the beginning only approximately 14% of people wore them as to the current 90%+ wearing them now. Sanders pointed out Missouri is the 6th lowest state in the union of people wearing masks.

Brenda Webb, resident of St. Charles County stated it is vital for businesses to open with no curfews. Webb explained she was not opposed to wearing masks and noted it should be a personal choice.

Lana Babb, resident of St. Peters stated she is a teacher and is extremely concerned about the schools opening in the fall to students and teachers that do not wear a mask. Babb pointed out there is a chance for the students and/or teachers to get the disease and who would be the ones chosen. Babb noted it is common sense to wear masks.

Maryann Boatright, resident of St. Charles County explained the freedoms that Americans have and not to jeopardize those freedoms. Boatright explained the masks make it difficult for people to wear by breathing in their own oxygen. Boatright also pointed out several of the tests report a false negative and what is currently happening to the County is related to the dislike of the current U.S. President and the movement to divide the nation.

Anita Kuehner, resident of St. Charles County stated she is a parent, grandparent and teacher and is looking for leadership to step up and make masks mandatory for the safety of everyone. Kuehner
continued by saying people are not respectful of other people’s personal space. Kuechner pointed out is would be extremely difficult to socially distance students in school as well as mandate masks.

Art Botorff, resident of Wentzville stated he was opposed to wearing masks. Botorff explained if individuals want to wear a mask, fine, but do not mandate it. Botorff explained St. Charles County is on the right path on dealing with this pandemic.

Council Chair Hollander explained the was a total of six speakers on the masks topic and noted there was nothing additional on the evening’s agenda dealing with COVID-19.

IN THE MATTER OF

PUBLIC COMMENTS

Council Chair Hollander opened public comments. He requested comments be limited to three minutes per speaker with three alternating pro and con positions on a topic. He also requested that anyone who addressed the Council fill out a speaker card for the record prior to the start of the meeting.

Bill No. 4864

Tom O’Toole, attorney representing the developer Tom Griffey explained their desire to develop a 3-acre development vs. a 5-acre development. O’Toole reviewed the parcel in that it was 84.20 acres, its location and noted it was near the city limits of New Melle. O’Toole pointed out the parcel is in the 2030 Master Plan as Rural Residential. O’Toole reviewed Missouri Law as it relates to zoning, water runoff from the property, traffic and sewers. O’Toole noted he would be available for more discussion if necessary.

Nancy Aberasturi, resident of Foristell Road stated her opposition to this rezoning request. Aberasturi explained a 5-acre development would be welcome as it is not as dense. Aberasturi stated the land should be used to maintain safety on the roadways, quality of life, maintain the historic nature of the area, protect the wildlife and reduce erosion and the loss of topsoil.

Stephanie Muehling, resident of Holt Road stated she was in opposition of this rezoning request. Muehling explained there were a lot of the residents that did not attend the Planning and Zoning Commission meeting due to the current pandemic, however there are a lot of neighboring residents who oppose this rezoning. Muehling noted a 5-acre development would fit in the area better than a 3-acre development.

Sabrina Wrenn, resident of St. Charles County stated her opposition to Bill No. 4864 and questioned why the citizens have to keep coming before the County Council to defend the current zoning laws. Wrenn questioned why exceptions to the current zoning laws are granted to developers. Wrenn pointed out the Master Plan is just a plan and is not final. Wrenn also noted the concern regarding the failure of septic systems in a 3-acre development. Wrenn presented various pictures of the rural area and also shared an invitation of Mrs. Alice Freesee Mollitor to come out and see firsthand the seriousness of the erosion to her property from this parcel.
Miscellaneous

Arnie Dienoff, O’Fallon resident, stated several items of concern regarding the funding that went into the development of the morgue to help with the COVID-19 pandemic, the design work from TWM instead of a local firm on a path from the Katy Trail to Matson Hill Park, the purchase of a rotary mower, the improvements to the Health Department Building and the Administration Building as it relates to COVID-19, the lease for the Health Department, bulk salt, funding for housing, utilities and/or food and his opposition to Bill No. 4864 for a 3-acre development.

IN THE MATTER OF
ORAL REPORT
FROM THE COUNTY EXECUTIVE

There was no report.

IN THE MATTER OF

CONSENT AGENDA

Council Chair Hollander asked if there were any items to be removed from the Consent Agenda. Seeing none, Councilman Elam made a motion to approve the Consent Agenda seconded by Councilman Hammond and unanimously approved by the members present. The items approved are as follows:

Approval of Journal of the previous meetings – 6-29-2020 meeting
Approval of Bids
Parks and Recreation – Professional Services for the Bike & Pedestrian Facilities from Katy Trail to Matson Hill Park/TWM, Inc./$353,335.29
- New Large 10’ – 11’ Rotary Mower/Turfwerks/$69,874.00
Facilities Management – Pet Adoption Center Procurement and Installation of Rooftop HVAC Unit/Murphy Company/$299,145.00
- Professional Services, General Contractor to Modify 2 Sites to reduce spread of COVID-19/Landco Construction/$2,000,000.00
Highway – Bulk Salt/Compass Minerals America, Inc./$539,800.00

Nominations and Appointments
Commission on Environmental Quality
- John J. Choinka of Weldon Spring/term expires 5-31-23/reappointment
- Jeffrey Langston of unincorporated St. Charles County/term expires 5-31-23/reappointment
- Robert Schmidt of Wentzville/term expires 5-31-23/reappointment

Miscellaneous
Collector – Tax Sale Surplus Proceeds – Bruce Hofer
- Tax Sale Surplus Proceeds – Heirs of Norman L. McClanahan, Jr. & Susan McClanahan
Community Development – CAB funding recommendations for CDBG-CV Funds - $323,000
- NECAC - $100,000
- Sts. Joachim and Ann Care Service - $94,000
- Habitat for Humanity of St. Charles County - $90,000
- LINC - $39,000
Highway – Amendment #6/David Hoekel Parkway #1/Interstate Dr. & S. Point Prairie Ext.
$19,300.00

Facilities Management - Temporary Lease Agreement for Health Building Project/1551 Wall St., SSM Health Care St. Louis/$16,678.50 per month

IN THE MATTER OF

BILLS FOR FINAL PASSAGE

Bill No. 4860 - Sponsored by Terry Hollander - AN ORDINANCE AMENDING THE 2020 BUDGET FOR A RECLASSIFICATION OF A LITIGATION ASSISTANT POSITION TO AN ASSOCIATE COUNTY COUNSELOR POSITION WITHIN THE ST. CHARLES COUNTY DEPARTMENT OF THE COUNTY COUNSELOR

There being no discussion, Council Chair Hollander requested the following roll call vote:
Bill No. 4860 was unanimously approved by the Council Members present.

Bill No. 4861 – Sponsored by Council as a Whole - AN ORDINANCE APPROVING EXECUTION OF A CONGESTION MITIGATION AND AIR QUALITY AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION (“COMMISSION”) TO COORDINATE THE PARTICIPATION OF ST. CHARLES COUNTY IN THE COST OF THE COMMISSION’S PUBLIC IMPROVEMENT FOR A SMART PARKING MANAGEMENT SYSTEM AND ELECTRIC PARKING SHUTTLE STUDY

Council Member Cronin stated Asst. Director of Administration John Greifzu has worked very hard on this project along with Gateway Green Light to achieve this project. Council Member Brazil stated most of the funding for this project is provided by the Federal Government.

There being no further discussion, Council Chair Hollander requested the following roll call vote:
Bill No. 4861 was approved by a vote of 5-1.

Bill No. 4862 - Sponsored by Council as a Whole - AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND MISSOURI GOVERNOR’S TRANSPORTATION COST SHARE PROGRAM FOR IMPROVEMENTS NEEDED TO REDUCE CONGESTION ON ROUTE A FROM ROUTE 61 TO I-70

There being no discussion, Council Chair Hollander requested the following roll call vote:
Bill No. 4862 was unanimously approved by the Council Members present.

Bill No. 4863 - Sponsored by Council as a Whole - AN ORDINANCE APPROVING AN INTER-GOVERNMENTAL AGREEMENT WITH THE CITY OF WENTZVILLE FOR IMPROVEMENTS NEEDED TO REDUCE CONGESTION ON ROUTE A FROM ROUTE 61 TO I-70
There being no discussion, Council Chair Hollander requested the following roll call vote:
Councilman Cronin – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – absent, and Councilman White – yes. Bill No. 4863 was unanimously approved by the Council Members present.

IN THE MATTER OF)
BILLS FOR INTRODUCTION)

Bill No. 4864 – 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 DISTRICT, PER APPLICATION RZ20-07

Council Chair Hollander gave a brief history of this parcel from the first time the rezoning and preliminary plat was before the Planning and Zoning Commission and then County Council to the withdrawal of both items.

Council Member Brazil stated he was opposed to this 3-acre development as he was before. Brazil noted the Council office received several e-mails from neighbors of the area in opposition of this development. Brazil explained people move to this area for its rural space and it is not right to change that for one person’s personal gain.

Council Member Cronin stated most of the buildable areas in St. Charles County are in District 1 and District 2 and most people in those districts want the rural space to be protected. Cronin explained he and Council Member Brazil worked together to achieve the 5-acre minor subdivision rules to help protect the rural atmosphere. Cronin noted, more houses means more traffic and there is no money to improve or build new roads. Cronin stated he is opposed to this bill.

Council Member Hammond stated not everyone can afford 5-acre lots and 3 acres is a lot of ground. Hammond explained the septic system issue had been revamped years ago and now systems get inspections on a regular basis. Hammond stated he is in support of this bill.

Council Member Elam requested Dale Bax, engineer for the developer to explain the changes from last time they applied for this to be rezoned. Bax explained the preliminary plat now has an agricultural berm in the middle of it to slow down the water flow. Bax explained the berm would be put into grass quickly to accommodate any water flow. Bax pointed out a farm field can have a large amount of runoff as well when there is only crops in the field for half of the year. Bax noted an area with 25 homes with established grass is less likely to erode than a farm field without crops. Bax thanked the Council for their efforts to provide minor subdivisions as an alternative to a 3-acre development however, while currently working up a 3-acre development and a minor subdivision 5-acre development he is having to submit basically the same information as it relates to surveys, etc. Bax requested the Council review the new minor subdivision language for any updates or corrections.

Mr. O’Toole thanked everyone for their comments, however pointed back to the Master Plan as it currently states this area is planned for rural residential zoning of 3-acre lot developments. O’Toole pointed out the newly designed berm will direct most of the water into the creek that is within the development. O’Toole pointed out County staff and community leaders worked very hard on achieving the Master Plan and urged the Council to approve this rezoning. O’Toole noted sanitary
sewers will soon be in the area and with that the developments could become more dense. O'Toole suggested a 3-acre development would stop a more dense development. Council Member White suggested Mr. O'Toole should convince Council Member Brazil who represents District 2 and this development as these are his constituents. White stated he is opposed to this development unless Council Member Brazil changes his mind and supports it.

Discussion was held regarding the approval of the rezoning application from the Planning and Zoning Commission and that St. Charles County is growing so rapidly, people need to find places to live. Council Members Hammond and Elam stated they were in support of this development.

**Bill No. 4865** – Sponsored by Terry Hollander – AN ORDINANCE ESTABLISHING THE FORESTWOOD LAND ROAD NEIGHBORHOOD IMPROVEMENT DISTRICT AND ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS

Council Member Cronin stated this neighborhood is near the edge of the city limits of O'Fallon and they have been working for a long time to get to this point for their neighborhood improvement district.

**Bill No. 4866** – Sponsored by Council as a Whole – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE FORM AGREEMENTS WITH SCHOOL DISTRICTS IN ST. CHARLES COUNTY TO PROVIDE FOR CONTINUED PLACEMENT OF SCHOOL RESOURCE OFFICERS AT SCHOOLS IN THOSE DISTRICTS

Council Members Cronin and Hollander stressed the importance of school resource officers and how they have affectively worked in the past as many students will confide in the officer eliminating any disturbance in the school.

**Bill No. 4867** – Sponsored by Terry Hollander – AN ORDINANCE AUTHORIZING EXECUTION OF DOCUMENTS FOR RECEIPT OF GRANT FUNDS IN THE AMOUNT OF $58,008 FROM THE DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE, AND FURTHER AMENDING ORDINANCE 19-108 BY PROVIDING RELATED SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND BUDGET OF THE POLICE DEPARTMENT FOR CORONAVIRUS EMERGENCY RESPONSE

IN THE MATTER OF
ANNOUNCEMENTS AND )
MISCELLANEOUS )

Council Member Cronin thanked the County Police Department, Director of Administration Joann Leykam and County Executive Ehlmann for addressing Bruno the black bear as he made his way into St. Charles County through St. Paul and heading to I-70. Cronin explained the County Police along with the Missouri Department of Conservation worked together and relocated Bruno to the Mark Twain National Forest which is much less populated of an area.

Council Member White explained his personal concern with regard to wearing masks and socially distancing from people as his wife is very vulnerable to this disease and for individuals to ignore that personal space is rude.
Council Member Hammond stated there is so much unknown regarding the COVID-19 pandemic and who to believe. Hammond noted people should live their lives and to retain their freedoms.

Council Member Cronin stated he saw the April and May sales tax figures for 2020 and was thrilled to see a 1.53% increase over 2019.

There being no further discussion, Council Chair Hollander adjourned the meeting.

The meeting adjourned at 9:05 p.m.

Examined and Approved

[Signature]

Terry Hollander, Council Chair
St. Charles County, Missouri

/djv