

## AGENDA

Regular Session of the City Council of the City of Saint Charles, Missouri  
Council Chambers – 4<sup>th</sup> Floor – City Hall – 200 North Second Street  
Tuesday, March 2, 2021  
7:00 p.m.

**All persons who desire to provide public comment must complete a Speaker's Card in its entirety and present it to the City Clerk prior to the 7:00 p.m. start of the City Council meeting to be eligible to speak.**

1. ROLL CALL
2. INVOCATION AND PLEDGE OF ALLEGIANCE
3. PUBLIC HEARING
  - A. Case No. LL-2021-3. Approval of Liquor License Application for Brian Slater dba: Sauce on the Side located at 1405 Beale Street, Suite 100 (**Ward 3**) (**RCA Attached**)
  - B. Case No. CU-2021-03. (Cliff Heitmann – Bax Engineering) An application for a Conditional Use Permit from §400.480(E)(4) for an outdoor display/sales lot for portable buildings within the C-3 Highway Business District located at 3735 Harry S. Truman Boulevard. The subject property is located in Ward 6. (**RCA Attached**)
  - C. Case No. CU-2021-04. (Tom Besselman) An application for a Conditional Use Permit from §400.320(C)(1)(k) for the storage of motor vehicles, trailers, boats, recreational vehicles, shipping containers and other construction equipment within the I-2 Heavy Industrial District and within the WHP Wellhead Protection District located at 3801 Huster Road. The subject property is located in Ward 8. (**Tabled to the March 22, 2021 Planning & Zoning Meeting**) (**RCA Attached**)
  - D. Case No. TA-2021-02. (City of St. Charles) An application to amend Chapter 400 of the Code of Ordinances by amending §400.430 Home Occupations. (**Council Bill 13253**)
  - E. Case No. TA-2021-03. (City of St. Charles) An application to amend Chapter 400 of the Code of Ordinances by amending §400.110 Location and Number of Buildings on a Lot, §400.290 “FHCD” Frenchtown Historic Commercial District, and Article V Off-Street Parking and Loading, specifically implementing improvements associated with the Frenchtown Great Streets Plan. (**Council Bill 13256**)
4. AWARDS/PROCLAMATIONS/PRESENTATIONS
  - A. Presentation of Police Officer of the Year – 2020 (*referred by Interim Police Chief Ray Juengst*)
5. REPORT OF THE MAYOR
  - A. Written and/or Verbal Messages from Mayor Daniel J. Borgmeyer

6. ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS
  - A. Update from Council Liaisons on Board/Commission/Committee Activities
  - B. Written and/or Verbal Messages from Councilmembers
  
7. PUBLIC COMMENTS – 3 Minute Limit Per Person, Per Agenda Item or Topic.  
 The Public Comments portion of the meeting is an opportunity for the City Council to listen to comments from citizens. It is not a question and answer session and the City Council will not respond to comments or answer questions during this period. The Mayor or the City Council may refer any matter brought up to the Director of Administration or City Clerk if action is needed. A buzzer will sound when three minutes has elapsed.
  
8. RESOLUTIONS
  - A. A RESOLUTION DECLARING EQUIPMENT ASSIGNED TO THE INFORMATION TECHNOLOGY DEPARTMENT AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL BY ON-LINE AUCTION SERVICE GOVDEALS (*SPONSOR: VINCE RATCHFORD*)
  
  - B. A RESOLUTION DECLARING EQUIPMENT ASSIGNED TO THE PARKS AND RECREATION DEPARTMENT AS SURPLUS PROPERTY AND AUTHORIZING DISPOSAL BY ON-LINE AUCTION SERVICE GOVDEALS, TRADE IN OR RECYCLING (*SPONSOR: DENISE MITCHELL*)
  
9. BILLS FOR FINAL PASSAGE

**Bill 13238**  
 AN ORDINANCE AUTHORIZING A RIDER EDUCATION RECOGNITION PROGRAM AGREEMENT BETWEEN MOTORCYCLE SAFETY FOUNDATION AND THE CITY OF ST. CHARLES, MISSOURI, TO PROVIDE MOTORCYCLE SAFETY CLASSES IN CONJUNCTION WITH THE STATE OF MISSOURI MOTORCYCLE SAFETY FOUNDATION (*SPONSOR: DENISE MITCHELL*)

**Bill 13239**  
 AN ORDINANCE AUTHORIZING A COMMUNITY ASSISTANCE PROGRAM AGREEMENT BETWEEN THE CITY OF ST. CHARLES, MISSOURI AND MISSOURI DEPARTMENT OF CONSERVATION REGARDING COORDINATED MANAGEMENT OF THE FOUNTAIN LAKES PARK LAKES (*SPONSORS: MICHAEL GALBA AND DENISE MITCHELL*)

**Bill 13240**  
 AN ORDINANCE AMENDING SCHEDULE II, TABLE II-A OF CHAPTER 77 OF THE CODE OF ORDINANCES BY RESTRICTING VEHICLES OVER 12,000 POUNDS DURING CERTAIN TIMES OF DAY (*SPONSOR: BRIDGET OHMES*)

**Bill 13241**  
 AN ORDINANCE AUTHORIZING THE PURCHASE OF PROPERTY LOCATED AT 8 LE CHATEAUX COURT FOR \$280,000 AND CLOSING COSTS NOT TO EXCEED \$2,500 FOR A TOTAL AMOUNT NOT TO EXCEED \$282,500 AND GRANTING CONTINUING AUTHORITY TO EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (*SPONSORS: MICHAEL GALBA AND BART HABERSTROH*)

**Bill 13242**

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE CITY OF ST. CHARLES SCHOOL DISTRICT FOR THE CONSTRUCTION OF A TRAFFIC SIGNAL AT THE JEFFERSON INTERMEDIATE SCHOOL SOUTHERN ENTRANCE LOCATED AT ZUMBEHL ROAD AND IPSWICH LANE IN AN AMOUNT NOT TO EXCEED \$125,000.00 (*SPONSOR: BART HABERSTROH*)

**Bill 13243**

AN ORDINANCE APPROVING COSTS OF CERTAIN IMPROVEMENTS; AND AUTHORIZING PAYMENTS FROM THE PROJECT FUND IN CONNECTION WITH THE NEW TOWN AT ST. CHARLES NEIGHBORHOOD IMPROVEMENT DISTRICT PHASES SEVEN, EIGHT, AND NINE IMPROVEMENTS (REIMBURSEMENT NUMBER 4) (*SPONSOR: MICHAEL GALBA*)

**Bill 13244**

AN ORDINANCE AUTHORIZING THE PURCHASE OF A VACANT LOT LOCATED AT 100 BLOCK OF WILKERSON FOR \$9,000 AND CLOSING COSTS NOT TO EXCEED \$2,000 FOR A TOTAL AMOUNT NOT TO EXCEED \$11,000 AND GRANTING CONTINUING AUTHORITY TO EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (*SPONSOR: MARY ANN OHMS*)

**Bill 13245**

AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT BETWEEN THE CITY OF ST. CHARLES, MISSOURI AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR A STORM SEWER CROSSING UNDER THE KATY TRAIL (*SPONSORS: TOM BESSELMAN AND BART HABERSTROH*)

**Bill 13246**

AN ORDINANCE FINDING AND DECLARING THE ACQUISITION OF CERTAIN LAND AND REAL PROPERTY INTERESTS FOR THE MUEGGE ROAD AND MISSOURI ROUTE 364 AND MISSOURI HIGHWAY 94 INTERCHANGE IMPROVEMENT PROJECT IS NECESSARY FOR MUNICIPAL PURPOSES AND AUTHORIZING ACQUISITION OF SAID LAND AND REAL PROPERTY INTERESTS (*SPONSORS: MARY WEST AND DENISE MITCHELL*)

**Bill 13247**

AN ORDINANCE AUTHORIZING THE PURCHASE OF 0.60 ACRES OF LAND LOCATED NEAR SOUTH FIFTH STREET AND SOUTH RIVER ROAD FOR \$5,000 AND CLOSING COSTS NOT TO EXCEED \$2,000 FOR A TOTAL AMOUNT NOT TO EXCEED \$7,000 AND GRANTING CONTINUING AUTHORITY TO EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (*SPONSORS: VINCE RATCHFORD AND BART HABERSTROH*)

**Bill 13248**

AN ORDINANCE ANNEXING CERTAIN ADJACENT CONTIGUOUS LAND INTO THE CITY OF SAINT CHARLES, MISSOURI, AND ASSIGNING THE LAND TO A DESIGNATED WARD OF THE CITY BEING PETITIONED FOR ANNEXATION BY THE CITY OF ST. CHARLES, MISSOURI AND THE ORCHARD FARM SCHOOL DISTRICT AN APPROXIMATE 195 ACRE TRACT OF LAND LOCATED NEAR THE INTERSECTION OF MISSOURI HIGHWAY B AND BOSCHERTOWN ROAD (*SPONSORS: MICHAEL GALBA AND DENISE MITCHELL*)

**Bill 13249**

AN ORDINANCE AUTHORIZING A CLINIC SHARE AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE CITY OF ST. CHARLES SCHOOL DISTRICT TO SHARE ACCESS TO THE SCHOOL DISTRICT'S EMPLOYEE HEALTH CENTER (*SPONSORS: VINCE RATCHFORD, MARY WEST, DENISE MITCHELL, JERRY REESE, MICHAEL FLANDERMEYER, MICHAEL GALBA AND BRIDGET OHMES*)

**Bill 13250**

AN ORDINANCE AUTHORIZING A MEDICAL SERVICES AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND CAREHERE MANAGEMENT, PLLC TO PROVIDE ONSITE MEDICAL SERVICES AT THE ST. CHARLES SCHOOL DISTRICT'S EMPLOYEE HEALTH CENTER (*SPONSORS: VINCE RATCHFORD, MARY WEST, DENISE MITCHELL, JERRY REESE, MICHAEL FLANDERMEYER, MICHAEL GALBA AND BRIDGET OHMES*)

**Bill 13251**

AN ORDINANCE AMENDING CHAPTER 700 OF THE CODE OF ORDINANCES BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 700.175 PERTAINING TO UTILITY BILLING (*SPONSORS: MARY WEST, MICHAEL GALBA, VINCE RATCHFORD AND BART HABERSTROH*)

10. BILLS FOR INTRODUCTION

**Bill 13252**

AN ORDINANCE DECLARING AS SURPLUS ALL MONEYS REMAINING IN THE SPECIAL ALLOCATION FUND FOR THE ST. CHARLES COUNTY CONVENTION CENTER REDEVELOPMENT AREA; DISSOLVING SAID SPECIAL ALLOCATION FUND; AND TERMINATING THE DESIGNATION OF THE ST. CHARLES COUNTY CONVENTION CENTER REDEVELOPMENT AREA AS A REDEVELOPMENT AREA (*SPONSOR: BRIDGET OHMES*)

**Bill 13253**

AN ORDINANCE AMENDING SECTION 400.430 OF THE CODE OF ORDINANCES PERTAINING TO HOME OCCUPATIONS (*SPONSORS: MARY ANN OHMS AND BRIDGET OHMES*)

**Bill 13254**

AN ORDINANCE VACATING THE RIGHT-OF-WAY OF A PORTION OF DROSTE ROAD NEAR WEST CLAY STREET ADJACENT TO 504 DROSTE ROAD (*SPONSOR: BART HABERSTROH*)

**Bill 13255**

AN ORDINANCE VACATING THE RIGHT-OF-WAY OF A PORTION OF DROSTE ROAD NEAR WEST CLAY STREET ADJACENT TO 506 DROSTE ROAD (*SPONSOR: BART HABERSTROH*)

**Bill 13256**

AN ORDINANCE AMENDING CODE OF ORDINANCES SECTIONS 400.110, 400.290, 400.690 AND 400.700 PERTAINING TO ON STREET PARKING (*SPONSORS: MARY ANN OHMS AND BRIDGET OHMES*)

**Bill 13257**

AN ORDINANCE FINDING AND DECLARING THE ACQUISITION OF CERTAIN LAND AND REAL PROPERTY INTERESTS FOR THE DUCHESNE HAWTHORN CULVERT REPLACEMENT PROJECT IS NECESSARY FOR MUNICIPAL PURPOSES AND AUTHORIZING ACQUISITION OF SAID LAND AND REAL PROPERTY INTERESTS (*SPONSORS: MICHAEL FLANDERMEYER AND BART HABERSTROH*)

11. ITEMS FOR DISCUSSION AND/OR COUNCIL ACTION (*none*)

12. CONSENT AGENDA

A. Approval of Council Minutes

1. Regular City Council Meeting of February 2, 2021

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes

- a. Council Work Session of February 9, 2021
- b. Street Committee Meeting of February 16, 2021

2. Approval of Council Committee Motions/Actions/Recommendations

- a. Council Work Session of February 9, 2021

- i. motion to suspend the application of Code Section 115.405.D.1 pertaining to remote participation in tonight's council meeting
- ii. motion to allow Councilmember Jerry Reese to participate remotely in tonight's council meeting
- iii. 1) Waterworks - Do you like the proposed tiered residential rate structure? The consensus of the Council was, yes. 2) Sanitary Sewer – Do you like the proposed winter averaging for the sewer portion? The consensus of the Council was, yes. 3) Sanitary Sewer/New Town Surcharge – Do you like the proposed surcharge for the NT residents? The consensus of the Council was to hold this item until Administration provided other fee schedules, specifically, what are the proposed rates if these fees were spread across the City or at 50%. Mr. Dobrosky stated staff would provide different options for future discussion and consideration. 4) Do you like the billing date to be changed to due on receipt and late after 30 days? The consensus of the Council was, yes.

- iv. motion to recess for five minutes
    - v. Councilmember Tom Besselman recommended tabling this item (meals on wheels program) until Councilmember Reese could be in physical attendance for the discussion
  - b. Street Committee Meeting of February 16, 2021
    - i. motion to accept staff recommendation of a full road closure of Hawthorn Avenue for a maximum of 90 consecutive days and a full road closure of Duchesne Drive for a maximum of 60 consecutive days with an acceleration of work clause for incentivized bidding
    - ii. motion to return to Item #3 *Discussion Relative to Traffic Calming on Elm Street*
  
- C. Receipt of Reports from Boards, Commissions, or Committees
  - 1. Board of Public Works Meeting of January 25, 2021
  - 2. Park & Recreation Work Session of January 6, 2021
  - 3. Board of Adjustment Meeting of January 4, 2021
  - 4. Special Business District Advisory Board Meeting of January 7, 2021
  - 5. Housing Authority Commission Meeting of August 26, 2020
  - 6. Housing Authority Commission Meeting of September 29, 2020
  - 7. Housing Authority Commission Meeting of October 28, 2020
  - 8. Housing Authority Commission Meeting of November 18, 2020
  - 9. Housing Authority Commission Meeting of December 16, 2020
  
- D. Receipt of Reports of the Director of Administration (*none*)
  
- E. Approval of Contracts and Easements
  - 1. Contract with Altec Industries, Inc. for the purchase of One (1) 2022 Ford F550 dual rear wheel truck with utility body and aerial platform in an amount not to exceed \$120,270.00
  - 2. Engineering Services Contract with Crawford, Murphy & Tilly, Inc. for the Riverside Sanitary Trunkmain Replacement Project in an amount not to exceed \$425,500.00
  - 3. Engineering Services Contract with Lochmueller Group, Inc. for the South Fifth Street Reconstruction Project in an amount not to exceed \$599,475.60
  - 4. Contract with GHA Technologies, Inc. for Barracuda Server, Message Archiver and Email/Spam Firewall Replacement/Maintenance for the Community Technology Department in an amount not to exceed \$198,112.11
  
- F. Preliminary Plats (*none*)
  
- G. Miscellaneous
  - 1. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Retention Lay (Legal Department)
  - 2. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Retention Law (City Clerk's Office)

3. Report of the City Clerk Relative to Disposal of Various Records Pursuant to the Missouri Records Manual and State Records Retention Law (Finance Department)

13. ITEMS REMOVED FROM CONSENT AGENDA

14. EMERGENCY ORDINANCES (*none*)

15. TABLED BILLS (*none*)

16. APPROVAL OF CLOSED MINUTES (*none*)

17. CLOSED SESSION, if requested, relative to:

- A. Legal actions, causes of action, or litigation (RSMo 610.021.1)
- B. Leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2)
- C. Hiring, firing, disciplining or promotion of particular employees by a public governmental body when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
- D. Preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- E. Sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)

*The City of St. Charles offers all interested citizens the opportunity to attend public meetings and comment on public matters. If you wish to attend this public meeting and require an accommodation due to a disability, please contact the Office of the City Clerk to coordinate an accommodation at least two (2) business days in advance of the scheduled meeting at 636-949-3282 or 636-949-3289 (TTY – for the hearing impaired).*

*The City of St. Charles, Missouri, fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, please call the City Clerk's Office at (636)949-3282 or visit City Hall located at 200 North Second Street, St. Charles, Missouri, 63301.*

*Posted: Friday, February 26, 2021 – 5:00 p.m.*