

AGENDA

Regular Session of the City Council of the City of Saint Charles, Missouri
Council Chambers – 4th Floor – City Hall – 200 North Second Street
Tuesday, September 21, 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-2021-13. Approval of Liquor License Application for Gerald Kubach d/b/a Funny Bone Comedy Club located at 1520 South Fifth Street (**Ward 3**) (**RCA Attached**)
 - B. FIXING AND ESTABLISHING THE RATE AND LEVYING THE TAXES FOR THE GENERAL REVENUE FUNDS AND FOR THE VARIOUS SPECIAL FUNDS OF AND FOR THE CITY OF SAINT CHARLES, MISSOURI, FOR THE YEAR TWO THOUSAND AND TWENTY-ONE (**Council Bill 13343**)
4. AWARDS/PROCLAMATIONS/PRESENTATIONS
 - A. Recognition of Woodard and Curran, Recipients of the Peak Performance Awards (*referred by Councilmember Mary West*)
 - B. Recognition of Recent Promotion in the Police Department (*referred by Police Chief Ray Juengst*)
5. REPORT OF THE MAYOR
 - A. Presentation of Charitable Funds to Angels for Animals and Boys & Girls Club of St. Charles County
 - B. Budget Amendment #15 (**Council Bill 13359**)
 - C. 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 (*none*)

9. BILLS FOR FINAL PASSAGE

Bill 13339

AN ORDINANCE APPROVING A PROGRAM-FUNDED STATE AND LOCAL TASK FORCE AGREEMENT BETWEEN THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION, AND THE CITY OF ST. CHARLES, MISSOURI TO PARTICIPATE IN THE ST. LOUIS FIELD DIVISION TASK FORCE PROGRAM FOR THE PERIOD OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022 AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS (*SPONSORS: JERRY REESE, DENISE MITCHELL AND MARY WEST*)

Bill 13340

AN ORDINANCE REZONING AN APPROXIMATE 3.89 ACRE TRACT OF LAND FROM C-2 GENERAL BUSINESS DISTRICT TO R-3A MULTIPLE - FAMILY RESIDENTIAL DISTRICT AND TO THEN REZONE SAID LAND FROM R-3A MULTIPLE - FAMILY RESIDENTIAL DISTRICT TO PD-R PLANNED DEVELOPMENT RESIDENTIAL DISTRICT; APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR THE OAKLEIGH PARK ADDITION DEVELOPMENT AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT (*SPONSOR: DENISE MITCHELL*)

Bill 13341

AN ORDINANCE AUTHORIZING A PROGRAM ORDER TO THE AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO PARTICIPATE IN THE MISSOURI DEPARTMENT OF TRANSPORTATION (MODOT) WORK ZONE ENFORCEMENT PROGRAM BY INCREASING EXPENSE REIMBURSEMENT ELIGIBILITY TO \$55,000.00 FOR THE PERIOD OF JULY 1, 2021 THROUGH DECEMBER 31, 2022 (*SPONSORS: JERRY REESE, DENISE MITCHELL AND MARY WEST*)

Bill 13342

AN ORDINANCE AMENDING ORDINANCE NUMBER 20-172 BY AMENDING CERTAIN REVENUE, EXPENDITURE, AND FUND BALANCE ACCOUNTS FOR THE BUDGET FOR THE FISCAL YEAR 2021 (BUDGET AMENDMENT #14) (*SPONSOR: BRIDGET OHMES*)

Bill 13343

AN ORDINANCE FIXING AND ESTABLISHING THE RATE AND LEVYING THE TAXES FOR THE GENERAL REVENUE FUNDS AND FOR THE VARIOUS SPECIAL FUNDS OF AND FOR THE CITY OF SAINT CHARLES, MISSOURI, FOR THE YEAR TWO THOUSAND AND TWENTY-ONE (*SPONSOR: BRIDGET OHMES*)

Bill 13344

AN ORDINANCE AUTHORIZING A CONTRACT WITH NCOURT, LLC TO PROVIDE SOFTWARE TO PERMIT AN ONLINE PAYMENT PROGRAM FOR THE MUNICIPAL COURT AND POLICE DEPARTMENT (*SPONSOR: MICHAEL GALBA*)

Bill 13345

AN ORDINANCE AUTHORIZING THE PURCHASE OF 0.60 ACRE OF LAND LOCATED AT 2C MUEGGE ROAD FOR \$125,000 AND CLOSING COSTS NOT TO EXCEED \$2,500 FOR A TOTAL AMOUNT NOT TO EXCEED \$127,500 AND GRANTING CONTINUING AUTHORITY TO EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (*SPONSORS: DENISE MITCHELL AND JERRY REESE*)

Bill 13346

AN ORDINANCE APPROVING THE RECORD PLAT FOR RIVER BREEZE ESTATES PLAT ONE, A SUBDIVISION OF THE CITY OF SAINT CHARLES, MISSOURI (*SPONSORS: CHRISTOPHER KYLE*)

Bill 13347 (*Proposed Amendment - Supplemental RCA Attached*)

AN ORDINANCE AMENDING CHAPTER 220 OF THE CODE OF ORDINANCES BY ENACTING A NEW ARTICLE TO BE KNOWN AS ARTICLE V PERTAINING TO ABANDONED AND VACANT PROPERTY AND CONSISTING OF ELEVEN NEW SECTIONS (*SPONSORS: CHRISTOPHER KYLE AND MICHAEL FLANDERMAYER*)

Bill 13348

AN ORDINANCE FINDING AND DECLARING THE ACQUISITION OF CERTAIN LAND AND REAL PROPERTY INTERESTS FOR THE 175 HASTINGS WAY STORM IMPROVEMENT PROJECT IS NECESSARY FOR MUNICIPAL PURPOSES AND AUTHORIZING ACQUISITION OF SAID LAND AND REAL PROPERTY INTERESTS (*SPONSORS: BRIDGET OHMES AND MICHAEL GALBA*)

Bill 13349

AN ORDINANCE DETERMINING THE ADVISABILITY OF CERTAIN IMPROVEMENTS; ORDERING THAT THE NEW TOWN MERZ NEIGHBORHOOD IMPROVEMENT DISTRICT BE ESTABLISHED; THAT PRELIMINARY PLANS AND SPECIFICATIONS FOR THE IMPROVEMENTS BE MADE AND MAKING CERTAIN FINDINGS RELATED THERETO; APPROVES A DEVELOPMENT FINANCE AGREEMENT; AND DIRECTS THE RECORDING OF NOTICE OF THE FORMATION OF THE DISTRICT (*SPONSOR: MICHAEL GALBA*)

Bill 13350

AN ORDINANCE AMENDING SECTION 400.430 OF THE CODE OF ORDINANCES PERTAINING TO HOME OCCUPATIONS (*SPONSOR: BRIDGET OHMES*)

Bill 13351

AN ORDINANCE SUSPENDING THE PROHIBITION AGAINST DRINKING ALCOHOLIC BEVERAGES IN PUBLIC PLACES DURING THE FRENCHTOWN ART WALK (*SPONSOR: CHRISTOPHER KYLE*)

Bill 13352

AN ORDINANCE AUTHORIZING A SEVENTH AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH ST. CHARLES COUNTY, MISSOURI FOR THE COLLECTION OF REAL AND PERSONAL PROPERTY TAXES,

NEIGHBORHOOD IMPROVEMENT DISTRICT ASSESSMENTS AND WATERLINE AND SEWER LATERAL REPAIR FEES (*SPONSOR: BRIDGET OHMES*)

Bill 13353

AN ORDINANCE AUTHORIZING A DIRECT LOAN AGREEMENT AND PROMISSORY NOTE BETWEEN THE MISSOURI TRANSPORTATION FINANCE CORPORATION, THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF ST. CHARLES FOR THE MUEGGE ROAD INTERCHANGE PROJECT (*SPONSORS: MARY WEST AND DENISE MITCHELL*)

10. BILLS FOR INTRODUCTION

Bill 13354

AN ORDINANCE AUTHORIZING A PARKING SPACE LEASE AGREEMENT BETWEEN FAIRGROUNDS, LLC AND THE CITY OF ST. CHARLES FOR THE LEASE OF PARKING SPACES AT 1475 FAIRGROUNDS ROAD FOR THE ST. CHARLES SENIOR CENTER (*SPONSOR: JERRY REESE*)

Bill 13355

AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT BETWEEN BOONE COUNTY, MISSOURI, AND THE CITY OF ST. CHARLES, MISSOURI FOR ASSISTANCE WITH SELECTION AND PROCUREMENT OF A POLICE DOG (K-9) AND FOR TRAINING OF THE K-9 AND HANDLER IN AN AMOUNT NOT TO EXCEED \$3,600.00 (*SPONSORS: JERRY REESE, DENISE MITCHELL AND MARY WEST*)

Bill 13356

AN ORDINANCE AMENDING SECTION 215.740 OF THE CODE OF ORDINANCES PERTAINING TO PROSTITUTION AND RELATED OFFENSES (*SPONSOR: BRIDGET OHMES*)

Bill 13357

AN ORDINANCE AMENDING CODE OF ORDINANCE SECTION 130.220 PERTAINING TO ACCEPTING GIFTS FROM PERSONS DEALING WITH THE CITY (*SPONSOR: BRIDGET OHMES*)

Bill 13358

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE ROUTE 370 BOX CULVERT MAINTENANCE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$65,970.00 (*SPONSOR: CHRISTOPHER KYLE*)

Bill 13359

AN ORDINANCE AMENDING ORDINANCE NUMBER 20-172 BY AMENDING CERTAIN REVENUE, EXPENDITURE, AND FUND BALANCE ACCOUNTS FOR THE BUDGET FOR THE FISCAL YEAR 2021 (BUDGET AMENDMENT #15) (*SPONSOR: BRIDGET OHMES*)

Bill 13360

AN ORDINANCE ORDERING THAT ASSESSMENTS BE MADE AGAINST BENEFITED PROPERTIES SITUATED WITHIN THE NEW TOWN MERZ NEIGHBORHOOD IMPROVEMENT DISTRICT BASED UPON ESTIMATED COSTS OF CERTAIN IMPROVEMENTS; ORDERING PREPARATION OF AN ASSESSMENT ROLL; AND CALLING FOR A PUBLIC HEARING AND PROVIDING DIRECTION FOR THE GIVING OF NOTICE THEREOF; ALL PURSUANT TO THE NEIGHBORHOOD IMPROVEMENT DISTRICT ACT (*SPONSOR: MICHAEL GALBA*)

Bill 13361

AN ORDINANCE AUTHORIZING AMENDMENT NUMBER 9 TO THE AGREEMENT WITH WOODARD & CURRAN, INC. FOR CONTRACT WASTEWATER OPERATIONS IN AN AMOUNT NOT TO EXCEED \$44,394.50 (*SPONSOR: BART HABERSTROH*)

Bill 13362

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE I-70 IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$6,000,000 (*SPONSORS: JERRY REESE, BART HABERSTROH AND BRIDGET OHMES*)

Bill 13363

AN ORDINANCE AMENDING CODE OF ORDINANCE SECTION 115.080 PERTAINING TO ACCEPTANCE OF GIFTS BY CITY OFFICIALS (*SPONSOR: BRIDGET OHMES*)

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

12. CONSENT AGENDA

- A. Approval of Council Minutes
 - 1. Regular City Council Meeting of September 7, 2021
 - 2. Public Hearing of September 7, 2021
- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Council Work Session (Closed) of September 7, 2021
 - 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Council Work Session of September 7, 2021 (*none*)
- C. Receipt of Reports from Boards, Commissions, or Committees (*none*)
- D. Receipt of Reports of the Director of Administration
 - 1. Monthly Report on Requests for Intra-Departmental Transfer of Appropriations > \$10,000 – August 2021
- E. Approval of Contracts and Easements

1. Contract with Compass Minerals America, Inc. for the Purchase of Bulk Road Salt in an Amount Not to Exceed \$244,200.00
 2. Architectural Services Contract with JEMA, LLC for the Design of Fire Station 2, Fire Station 3, the Police Station, and Courts in an Amount Not to Exceed \$1,012,480.00. The Agreement Also Contains Additional Service Alternatives for Potential Future Projects; Fire Station 1, Fire Station 5, and City Hall in an Amount Not to Exceed \$776,528.00
- F. Preliminary Plats *(none)*
- G. Miscellaneous
1. Approval of Amendment to Council Rules 13, 14, 21, 27 and 45. Addition of Council Rule 49 *(To be Held)*
 2. Report of the Court Administrator of Monies Collected and Deposited – August 2021
13. ITEMS REMOVED FROM CONSENT AGENDA
14. EMERGENCY ORDINANCES *(none)*
15. TABLED BILLS *(none)*
16. APPROVAL OF CLOSED MINUTES
- A. Council Work Session of August 24, 2021
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. Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid (RSMo 610.021.11)
 - F. 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, September 17, 2021 – 5:00 p.m.