

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
April 2, 2019

The City Council convened in a Regular City Council Meeting on Tuesday, April 2, 2019, at 7:00 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with Vice President of the Council Mary West, presiding, and Members of the Council present as follows: Dave Beckering, Tom Besselman, John Hanneke, Rod Herrmann, Mary Ann Ohms, Vince Ratchford and Jerry Reese. Absent: Mayor Sally A. Faith, Bart Haberstroh and Bridget Ohmes. Assistant City Clerk Kimberly Hudson was present and performed the duties of that office.

File #48881

A motion was made by ROD HERRMANN to excuse the absence of Councilmember Bart Haberstroh and Councilmember Bridget Ohmes. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

PUBLIC HEARING

The Vice-President of the Council Mary West announced that the Public Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business:

- A. Case No. CU-2018-31. (John Muller) An application for a Conditional Use Permit from §400.220(C)(1)(a) for an In-Vehicle Sales and Service (ATM) use within the C-2 General Business District, located at 1360 South 5th Street. The subject property is approximately 2.37 acres and is located in Ward 2. **Item tabled at the March 25, 2019 Planning & Zoning Meeting per applicant's request. This public hearing to be held open until the May 7, 2019 Regular City Council Meeting. (RCA Attached)**
- B. Case No. Z-2019-04. (Gregory & Marilyn Tate) An application to rezone upon annexation an approximately 1.85 acre tract of land, known as 117 Forest Hill Drive, from St. Charles County R1E Single-Family Residential District to City of St. Charles R-1D Single-Family Residential District. The property will be located in Ward 3 upon annexation. **(Council Bill 12808)**
- C. Case No. Z-2019-05. (Terry L. and Kathleen Hemsath) An application to rezone upon annexation an approximately 2.04 acre tract of land, known as 900 Hemsath Road, from St. Charles County R1E Single-Family Residential District to City of St. Charles R-1E Single-Family Residential District. The property will be located in Ward 4 upon annexation. **(Council Bill 12806)**
- D. Case No. Z-2019-06. (St. Charles Painting and Remodeling - Mark Walsh) An application to rezone an approximately 1.38 acre tract of land, known as 1634 Muegge Road, from R-1C Single-Family Residential District to O-I Office Institution District. The property is located in Ward 4. **(Council Bill 12810)**
- E. Case No. CU-2019-09. (Electrify America, LLC) An application for a Conditional Use Permit from §400.220(C)(1)(a) for an In-Vehicle Sales and Service (Electric Vehicle Charging Station) use within the C-2 General Business District, located at 2897 Veterans Memorial Parkway. The subject property is approximately 13.61 acres and is located in Ward 6. **(RCA Attached)**

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- F. Case No. CU-2019-10. (Adam Powers) An application for a Conditional Use Permit from §400.290(C)(10) for an Passenger Vehicle Repair, Body and Fender Repair, and Spray Painting use within the FHCD Frenchtown Historic Commercial District, located at 1520 North 2nd Street. The subject property is approximately 1.04 acres and is located in Ward 1. **(RCA Attached)**
- G. Case TA-2019-01. (Mike Gutermuth) An application to amend Chapter 400 of the Code of Ordinances by amending §400.600 “Parking and Storage of Boats, Trailers, Camper Shells and Recreational Vehicles on Residential Property, City Streets, and Mobile Home Parks, specifically modifying the prohibition on parking Recreational Vehicles within the non-principal front yard of a corner lot. **(Council Bill 12804)**
- H. Case No. LL-2019-05 Approval of Liquor License Application for Carolyn Bellm d/b/a Embassy Suites located at Two Convention Center Plaza **(Ward 3) (RCA Attached)**
- I. Case No. LL-2019-06 Approval of Liquor License Application for Bridgette Hamilton d/b/a The Rack House located at 500 South Main Street **(Ward 2) (RCA Attached)**

REPORT OF THE MAYOR/AWARDS/PROCLAMATIONS/PRESENTATIONS

Budget Amendment No. 4 (Council Bill 12811)

Director of Administration Larry Dobrosky reported Budget Amendment No. 4 is being introduced this evening and Director of Finance Gina Jarvis is here tonight to answer any questions the Councilmembers may have. There were no questions presented.

Written and/or Verbal Messages from Mayor Sally A. Faith

Director of Administration reported there are no written and/or verbal messages.

PUBLIC COMMENT

Mary Honerkamp, 304 Boone’s Lick, St. Charles voiced concerns relative to the trimming of the shrubs and the railing along Boone’s Lick between Fifth Street and Main Street.

RESOLUTIONS

A Resolution Declaring Equipment Assigned to the Public Works Department as Surplus Property and Authorizing Disposal by Trade-In and by On-Line Auction Service GovDeals (*Sponsor: John Hanneke*)

Passed “Aye”: West, Beckering, Besselman, Hanneke, Herrmann, Ohms, Ratchford and Reese
“Nay”: None
Absent: Haberstroh and Ohmes

Approved by the Honorable Mayor on April 6, 2019 and is known as **Resolution 19-016**

A Resolution Declaring Information Technology Equipment Surplus Property; Authorizing Disposal of the Equipment with Resale Value by Internet Auction; and

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Absent: Besselman, Haberstroh and Ohmes

Approved by the Honorable Mayor on April 6, 2019 and is known as **Ordinance 19-083**

Bill 12795

An Ordinance Repealing Ordinance 19-016 and Enacting a New Ordinance Approving the Record Plat for The New Town at St. Charles Plat Six-C-2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Rod Herrmann*)

Passed “Aye”: Beckering, Hanneke, Herrmann, Ohms, Ratchford, Reese and West
“Nay”: None
Absent: Besselman, Haberstroh and Ohmes

Approved by the Honorable Mayor on April 6, 2019 and is known as **Ordinance 19-084**

Bill 12796 (Supplemental RCA Attached)

An Ordinance Approving an Amendment to the Development Plan for Talbridge Subdivision by Amending the Land Use of an Approximately 1.615 Acre Tract of Land from Unclassified to Residential and Approving an Amended Development Agreement Pertaining to Talbridge Addition (*Sponsor: Vince Ratchford*)

Passed “Aye”: Beckering, Hanneke, Herrmann, Ohms, Ratchford, Reese and West
“Nay”: None
Absent: Besselman, Haberstroh and Ohmes

Approved by the Honorable Mayor on April 6, 2019 and is known as **Ordinance 19-085**

Bill 12797 (Supplemental RCA Attached)

An Ordinance Approving an Amendment to the Development Plan for Montclair Subdivision by Amending the Land Use of Three Separate Lots Totaling Approximately 5.221 Acres from Commercial to Residential and to Modify the Design Standards for the Single Family and Townhome Developments and Approving an Amended Planned Development for Montclair Addition (*Sponsor: Vince Ratchford*)

Passed “Aye”: Beckering, Hanneke, Herrmann, Ohms, Ratchford, Reese and West
“Nay”: None
Absent: Besselman, Haberstroh and Ohmes

Approved by the Honorable Mayor on April 6, 2019 and is known as **Ordinance 19-086**

BILLS FOR INTRODUCTION

The following council bills were introduced:

Bill 12798

An Ordinance Authorizing a Contract with Andale Construction, Inc. for the 2019 Annual Asphalt High Density Mineral Bond Project in an Amount Not to Exceed \$395,300.00 (*Sponsor: Bridget Ohmes*)

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Bill 12799

An Ordinance Authorizing a Contract with Sweetens Concrete Services for the 2019 Annual Concrete Repair Project in an Amount Not to Exceed \$1,050,000.00 (*Sponsors: Jerry Reese, Bart Haberstroh and Bridget Ohmes*)

Bill 12800

An Ordinance Authorizing a Contract with Donelson Construction Company, LLC for the Annual Asphalt Microsurfacing Project 2019 in an Amount Not to Exceed \$850,000 (*Sponsors: Mary Ann Ohms and John Hanneke*)

Bill 12801

An Ordinance Authorizing the Purchase of Property Located at 158 Melody Lane for the Sale Price of \$20,000 and Closing Costs Not To Exceed \$2,000 and Granting Continuing Authority to Execute Documents Necessary to Carry out the Intent of this Ordinance (*Sponsor: Mary Ann Ohms*)

Bill 12802

An Ordinance Authorizing a Cooperative Agreement with The Lions Club of St. Charles, Missouri for the Operation of a Farmers Market in 2019 (*Sponsor: Mary Ann Ohms*)

Bill 12803

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 \$27,500.00 for the Period of July 1, 2018 Through December 31, 2019 (*Sponsors: Jerry Reese and Mary West*)

Bill 12804

An Ordinance Amending Section 400.600(A) of the Code of Ordinances Relating to Parking and Storing of Recreational Vehicles (*Sponsors: John Hanneke, Dave Beckering and Mary Ann Ohms*)

Bill 12805

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 Terry L. and Kathleen Hemsath Approximately 2.04 Acres of Land With an Address of 900 Hemsath Road (*Sponsor: Mary West*)

Bill 12806

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District) Approximately 2.04 Acres of Land with an Address of 900 Hemsath Road (*Sponsor: Mary West*)

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Bill 12807

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 Gregory B. and Marilyn D. Tate Approximately 1.85 Acres of Land With an Address of 117 Forest Hill Drive (*Sponsor: Vince Ratchford*)

Bill 12808

An Ordinance Rezoning to City Zoning District R-1D (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District) Approximately 1.85 Acres of Land with an Address of 117 Forest Hill Drive (*Sponsor: Vince Ratchford*)

Bill 12809

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, Approximately 14.399 Acres of Land With Addresses of 1559 South Main Street; 1602, 1606, and 1610 Old South River Road; and a Parcel Identified by Parcel ID Number 6-0023-S007-00-0003 at the Intersection of Old South River Road and South River Road (*Sponsor: Vince Ratchford*)

Bill 12810

An Ordinance Rezoning to City Zoning District O-I (Office Institution District) from City Zoning District R-1C (Single-Family Residential District) Approximately 1.38 Acres of Land with an Address of 1634 Muegge Road (*Sponsor: John Hanneke*)

Councilmember John Hanneke requested to withdraw Council Bill 12810.
File #48912

Bill 12811

An Ordinance Amending Ordinance Number 18-261 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2019 (Budget Amendment #4) (*Sponsor: John Hanneke*)

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

CONSENT AGENDA

Councilmember Dave Beckering voiced concerns relative to Consent Agenda Item 10.E.1. and inquired of Director of Administration Mr. Dobrosky if the contractor has been made aware of our concerns relative to workmanship. Mr. Dobrosky stated he will follow up and confirm with Councilmember Beckering that the contractor has been notified.

A motion was made by Councilmember JERRY REESE to approve the Consent Agenda. Councilmember DAVE BECKERING seconded the motion. A roll call vote was taken with the

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following results: “Aye”: Besselman, Hanneke, Herrmann, Ohms, Ratchford, Reese, West and Beckering. “Nay”: None. Absent: Haberstroh and Ohmes. Motion passed.

- A. Approval of Council Minutes
 - 1. Special Council Meeting of March 12, 2019
 - 2. Regular Council Meeting of March 19, 2019
 - 3. Public Hearing of March 19, 2019
 - File #48913
 - 4. Administrative Hearing of March 19, 2019
 - File #48914

- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Council Work Session (Closed) of March 12, 2019
 - File #48884
 - b. Council Work Session of March 12, 2019
 - File #48884

 - 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Council Work Session (Closed) of March 12, 2019 (*none*)
 - b. Council Work Session of March 12, 2019
 - i. Consensus of the City Council to avoid regulating these short term rental properties unless or until objections increase or problems arise. Council asked to be provided feedback if objections or problems are received or reported

- C. Receipts of Reports from Boards, Commissions or Committees
 - 1. Landmarks Board Meeting of February 11, 2019
 - File #48896
 - 2. Audit Committee Meeting of October 8, 2018
 - File #48846
 - 3. Digital Media Commission Meeting of November 14, 2018
 - File #48834
 - 4. Digital Media Commission Meeting of January 9, 2019
 - File #48915
 - 5. Senior Citizen Advisory Commission Meeting of February 12, 2019
 - File #48900
 - 6. Economic Development Commission Meeting of February 14, 2019
 - File #48902
 - 7. Veterans Commission Meeting of February 11, 2019
 - File #4801

- D. Receipt of Reports of the Director of Administration (*none*)

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- E. Approval of Contracts and Easements from \$30,001 - \$99,999
1. Contract with Lakeside Roofing, Co., Inc. for Wastewater Treatment Building Roof Replacement in an Amount Not to Exceed \$60,000.00
C19-131
 2. Second Amendment to Contract with Regent Power, LLC for New Everlast Excel Lighting and Cimcon Lighting Control Equipment Main Streetlight Installations in an Amount Not to Exceed \$20,963.00 for a Total Contract Amount of \$75,311.27
C18-095
- F. Preliminary Plats
1. Approval of Resubdivision of Lot 1 of Regency Square
 2. Approval of Resubdivison of Lot 1 of Fountain Lakes Commerce Center Plat 9
 3. Approval of Resubdivison of Lot 4B of Fountain Lakes Commerce Center Plat Nine of Lot 4
- G. Miscellaneous
1. Receipt of the Fountain Lakes Commerce Center North Community Improvement District Annual Report for 2018
File #48910

ITEMS REMOVED FROM THE CONSENT AGENDA

There were no items removed from the Consent Agenda.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Councilmember Rod Herrmann thanked Director of Engineering Brad Temme and his department for the installation of the bollards on New Town Blvd. Mr. Herrmann further stated that he is receiving good feedback from the residents relative to how nice they look and the purpose they serve.

TABLED BILLS (*none*)

APPROVAL OF CLOSED MINUTES (*none*)

The Regular Council Meeting adjourned at 7:27 p.m.

Date Approved

City Clerk

Mary West, Presiding Officer