

## 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, January 4, 2022  
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. PRESENTATIONS/AWARDS/PROCLAMATIONS (*none*)
4. CITIZEN COMMENTS - 3 Minute Limit Per Person  
The Citizen 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 Mayor and 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.
5. REPORT OF THE MAYOR
  - A. Check Presentation to the City of Saint Charles from Angels for Animals
6. ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS
7. PUBLIC HEARING
  - A. Ordinance to Establish the 1<sup>st</sup> Capitol Drive Community Improvement District (*Ward 2*) (*Council Bill 13427*)
  - B. Case No. LL-2022-1. Approval of Liquor License Application for Holli Kercher d/b/a Mario's Donuts and Café located at 2786 Muegge Road (*Ward 6*) (*RCA Attached*)
  - C. Case No. LL-2022-2. Approval of Liquor License Application for Stephen Laws d/b/a Hendrick's BBQ located at 1200 South Main Street (*Ward 2*) (*RCA Attached*)
  - D. Case No. Z-2021-12. (Donald E. Meyer Revoc Liv Trust & MFT 3, LLC) An application to rezone approximately 1.682 acres of land located south and west of the intersection of Hawks Nest Drive and Lynnbrook Drive, from C-2 General Business District to R-1E Single-Family Residential District. The subject property is located in Ward 4. (*Council Bill 13437*)

- E. Case No. CU-2021-33. (John Donnelly) An application for a Conditional Use Permit from §400.220(C)(1)(a) for a Guest House within the C-2/FSC/HD General Business District within the Fifth Street Corridor/Hospital District located at 821 S 5<sup>th</sup> Street. The subject property is located in Ward 2. ***(RCA Attached)***
- F. Case No. CU-2021-34. (Holli Kercher – Mario’s Donuts and Cafe) An application for a Conditional Use Permit from §400.230(C)(1)(a) for liquor sales associated with a permitted restaurant use in the C-3 Highway Business District located at 2786 Muegge Road. The subject property is located in Ward 6. ***(RCA Attached)***
- G. Case No. CU-2021-28. (Larry Walker – Bax Engineering) An application for a Conditional Use Permit from §400.240(C)(1)(a) for the outdoor storage of pipes and beams in the I-1 Light Industrial District located along Harry S Truman Boulevard on Lots 4.1 and 4.2 of Truman Business Center Plat 2. The subject property is located in Ward 8. This item was tabled at the November 22<sup>nd</sup>, 2021 Planning and Zoning Commission meeting. ***(This item was withdrawn) (RCA Attached)***
- H. Case No. CU-2021-29. (Michael Meiners – St. Charles Engineering & Surveying) An application for a Conditional Use Permit from §400.210(C)(1)(g) for in-vehicle sales or service (drive-thru) in C-3 Highway Business District located 2205 First Capitol Drive. The subject property is located in Ward 2. This item was tabled at the November 22<sup>nd</sup>, 2021 Planning and Zoning Commission meeting. ***(This item was tabled at the December P&Z meeting) (RCA Attached)***
- I. Case No. CU-2021-32. (Octavio Ruiz – El Huisache, LLC) An application for a Conditional Use Permit from §400.220(C)(1)(a) for in-vehicle sales or service (drive-thru) and from §400.220(C)(1)(i) for liquor sales associated with a permitted restaurant use in the C-2/WHP General Business District within the Wellhead Protection District located at 3803 Elm Street. The subject property is located in Ward 8. ***(This item was tabled at the December P&Z meeting) (RCA Attached)***

8. CONSENT AGENDA

- A. Approval of Council Minutes and Reports
  - 1. Regular Council Meeting of December 7, 2021
  - 2. Public Hearing of December 7, 2021
  - 3. Regular Council Meeting of December 21, 2021
  - 4. Administrative Hearing of December 21, 2021
  - 5. Council Work Session of December 14, 2021
  - 6. Council Work Session of December 21, 2021
- B. Receipt of Reports from Boards, Commissions and Committees
  - 1. Landmarks Board Meeting of November 15, 2021
  - 2. Greater Saint Charles Convention & Visitors Commission Meeting of October 28, 2021
  - 3. Senior Citizens Commission Meeting of November 9, 2021
  - 4. Saint Charles Park & Recreation Board Meeting of November 17, 2021
  - 5. Saint Charles Park & Recreation Board Work Session Meeting of December 1, 2021
  - 6. Board of Adjustment Meeting of November 8, 2021

- C. Receipt of Director of Administration Reports (*none*)
- D. Approval of Contracts and Easements
  - 1. Contract Amendment No. 4 with H Design Group, LLC for Design, Bidding and Construction Phase Services relative to the Wash Building Addition at the City's Public Works Facility in an Amount of \$55,000.00 for a Total Contract not to Exceed \$790,908.55
  - 2. Contract with Core & Main to Deliver Supplies for the City's Water Division in an Amount Not to Exceed \$272,000.00
  - 3. Contract Renewal No. 3 with Champ Landfill Company, LLC for Landfill Services for the City's Sanitary Sewer Operations in an Amount Not to Exceed \$230,000.00
- E. Preliminary Plats (*none*)
- F. Miscellaneous
  - 1. Report of the Court Administrator of Monies Collected and Deposited – October 2021

9. ITEMS REMOVED FROM THE CONSENT AGENDA

10. RESOLUTIONS

- A. 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*)

11. BILLS FOR FINAL PASSAGE

**Bill 13423**

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND REJIS COMMISSION TO PROVIDE 2022 LAW ENFORCEMENT SERVICES FOR THE POLICE DEPARTMENT FOR COMMUNICATIONS AND COMPUTER SERVICES IN AN AMOUNT NOT TO EXCEED \$49,290.80 (*SPONSOR: DENISE MITCHELL*)

**Bill 13424**

AN ORDINANCE AUTHORIZING A LAYDOWN YARD / STAGING AREA AGREEMENT AMONG THE CITY OF ST. CHARLES, MISSOURI, CHAPTER AT THE STREETS, LLC, AND BRINKMANN CONSTRUCTORS, LLC, FOR THE USE OF A PORTION OF CITY PROPERTY LOCATED ON THE EAST SIDE OF SOUTH MAIN STREET ACROSS FROM THE STREETS OF ST. CHARLES DEVELOPMENT BY BRINKMANN CONSTRUCTORS, LLC, FOR CERTAIN CONSTRUCTION-RELATED ACTIVITIES (*SPONSOR: VINCE RATCHFORD*)

**Bill 13425**

AN ORDINANCE AUTHORIZING CERTAIN MATTERS RELATING TO THE CITY'S TAXABLE SPECIAL OBLIGATION BONDS, SERIES 2020 (*SPONSOR: BRIDGET OHMES*)

**Bill 13426**

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND THE REJIS COMMISSION FOR THE PURCHASE OF AND MAINTENANCE FOR A MUNICIPAL PROSECUTION CASE MESSAGING SYSTEM IN AN AMOUNT NOT TO EXCEED \$1,555.00 (*SPONSOR: BRIDGET OHMES*)

**Bill 13427**

AN ORDINANCE APPROVING A PETITION TO ESTABLISH THE 1ST CAPITOL DRIVE COMMUNITY IMPROVEMENT DISTRICT PURSUANT TO SECTIONS 67.1401-67.1571 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED; CREATING THE 1ST CAPITOL DRIVE COMMUNITY IMPROVEMENT DISTRICT AS A POLITICAL SUBDIVISION; DESIGNATING THE AREA OF THE DISTRICT AS A BLIGHTED AREA; APPROVING THE APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS FOR THE DISTRICT; DIRECTING THE CITY CLERK OF THE CITY OF SAINT CHARLES TO REPORT THE CREATION OF THE DISTRICT TO THE MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT; DIRECTING AND AUTHORIZING CITY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME; AND CONTAINING A SEVERABILITY CLAUSE (*SPONSOR: TOM BESSELMAN*)

**Bill 13428**

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT FOR THE 1ST CAPITOL DRIVE COMMUNITY IMPROVEMENT DISTRICT; DIRECTING AND AUTHORIZING CITY OFFICIALS TO TAKE CERTAIN ACTIONS RELATED TO THE SAME; AND CONTAINING A SEVERABILITY CLAUSE (*SPONSOR: TOM BESSELMAN*)

**Bill 13429**

AN ORDINANCE AMENDING SECTION 505.270 OF THE CODE OF ORDINANCES PERTAINING TO THE SIDEWALK POLICY AND DUTIES OF ABUTTING PROPERTY OWNERS AND AMENDING SECTIONS 505.260, 505.280, 505.310 AND 505.320 OF THE CODE OF ORDINANCES TO CHANGE REFERENCES FROM DIRECTOR / DEPARTMENT OF PUBLIC WORKS TO ENGINEERING (*SPONSORS: CHRISTOPHER KYLE, VINCE RATCHFORD, MARY WEST, DENISE MITCHELL, JERRY REESE, MICHAEL FLANDERMEYER, MICHAEL GALBA, BART HABERSTROH AND BRIDGET OHMES*)

**Bill 13430**

AN ORDINANCE AUTHORIZING A PUBLIC TRANSIT OPERATING ASSISTANCE GRANT AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF ST. CHARLES FOR RECEIPT OF STATE TRANSPORTATION FUNDS IN THE AMOUNT OF \$7,886.00 DURING THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022 (*SPONSOR: BRIDGET OHMES*)

**Bill 13431**

AN ORDINANCE AUTHORIZING AN AGREEMENT IN LIEU OF ASSESSMENT BETWEEN THE CITY OF ST. CHARLES, MISSOURI, AND THE CONSOLIDATED

NORTH COUNTY LEVEE DISTRICT FOR ANNUAL PAYMENTS OF \$14,774.00 TO BE PAID BY THE CITY TO THE DISTRICT IN ADDITION TO CURRENTLY ASSESSED AMOUNTS PAID BY THE CITY TO THE DISTRICT (*SPONSOR: BRIDGET OHMES*)

**Bill 13432**

AN ORDINANCE IMPOSING A LOCAL USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF TWO (2%) FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY OF SAINT CHARLES, MISSOURI, ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 OF THE REVISED STATUTES OF MISSOURI, AS AMENDED; PROVIDING FOR THE LOCAL USE TAX TO BE REDUCED OR RAISED IN THE SAME AMOUNT AS ANY LOCAL SALES TAX IS REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, APRIL 5, 2022 (*SPONSORS: BRIDGET OHMES, VINCE RATCHFORD, JERRY REESE, MICHAEL FLANDERMEYER AND TOM BESSELMAN*)

**Bill 13433**

AN ORDINANCE AUTHORIZING A FIRST AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN COUNTY OF ST. CHARLES AND CITY OF ST. CHARLES FOR USE OF ST. CHARLES COUNTY TRANSPORTATION SALES TAX FUNDS FOR TRAFFIC FLOW IMPROVEMENTS ON LITTLE HILLS EXPRESSWAY AT MEL WETTER PARKWAY IN AN AMOUNT OF \$150,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$650,00.00 (*SPONSOR: CHRISTOPHER KYLE*)

**Bill 13434**

AN ORDINANCE AUTHORIZING A SECOND AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN COUNTY OF ST. CHARLES AND CITY OF ST. CHARLES FOR USE OF ST. CHARLES COUNTY TRANSPORTATION SALES TAX FUNDS FOR TRAFFIC FLOW IMPROVEMENTS ON MUEGGE ROAD AT ROUTE 94 / ROUTE 364 IN AN AMOUNT OF \$1,500,000.00, FOR A TOTAL AMOUNT NOT TO EXCEED \$6,329,270.00 (*SPONSORS: DENISE MITCHELL AND MARY WEST*)

**Bill 13435**

AN ORDINANCE GRANTING A VARIANCE FROM THE STORMWATER DETENTION REQUIREMENT OF CODE SECTION 510.290(A)(3) FOR THE RIVERPOINTE DEVELOPMENT (*SPONSOR: VINCE RATCHFORD*)

12. BILLS FOR INTRODUCTION

**Bill 13436**

AN ORDINANCE APPROVING THE RECORD PLAT FOR ZUMBEHL DEVELOPMENT, A SUBDIVISION OF THE CITY OF SAINT CHARLES, MISSOURI (*SPONSOR: JERRY REESE*)

**Bill 13437**

AN ORDINANCE REZONING TO CITY ZONING DISTRICT R-1E SINGLE-FAMILY RESIDENTIAL DISTRICT FROM CITY ZONING DISTRICT C-2 GENERAL BUSINESS DISTRICT AN APPROXIMATE 1.682 ACRE TRACT OF LAND LOCATED SOUTH AND WEST OF THE INTERSECTION OF HAWKS NEST DRIVE AND LYNNBROOK DRIVE (*SPONSOR: BRIDGET OHMES*)

13. EMERGENCY ORDINANCES (*none*)

14. TABLED BILLS (*none*)

15. ITEMS FOR COUNCIL ACTION (*none*)

16. CLOSED SESSION

Pursuant to Section 610.022 RSMo., as amended, the City Council could, at any time during the meeting, vote to close the public meeting and move to close session to discuss matters as provided under Section 610.021 RSMo., as amended.

17. ADJOURNMENT

*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: Thursday, December 30, 2021 – 5:00 p.m.*