

## 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, May 16, 2023  
7:00 p.m.

**All persons who desire to provide citizen/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
  - A. Proclamation Declaring May 21 - 27, 2023 as National Public Works Week in the City of Saint Charles, Missouri
  - B. Proclamation Declaring the First Friday in June to be National Gun Violence Awareness Day in the City of Saint Charles, Missouri
  - C. Introduction of Newly Hired Risk Manager Christian Dunman
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
6. ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS
7. PUBLIC HEARING
  - A. Case No. CU-2023-36 (Andrew Stevens) An application for a Conditional Use Permit from §400.150(D)(1)(n) for a new Short Term Rental within R-1E Single-Family Residential District located at 415 Lindenwood Avenue. The subject property is located in Ward 1. **(RCA Attached)**
8. CONSENT AGENDA
  - A. Approval of Council Minutes and Reports
    1. Council Work Session of April 18, 2023
    2. Regular Council Meeting of May 2, 2023
    3. Public Hearing of May 2, 2023
  - B. Receipt of Reports from Boards, Commissions and Committees
    1. Board of Adjustment Meeting of February 6, 2023
    2. Board of Adjustment Meeting of March 6, 2023
    3. Board of Adjustment Meeting of April 10, 2023
    4. Senior Citizen Advisory Board Meeting of April 11, 2023

5. Veterans Commission Meeting of April 9, 2023
- C. Receipt of Director of Administration Reports
    1. FITS Report – April 2023
  - D. Approval of Contracts and Easements
    1. Three Year Agreement with CDW Government, LLC to Purchase Email Security Services Software in an Amount Not to Exceed \$127,440.76
    2. Contract Amendment No. 1 with SweenCo, LLC for Additional Storm Improvements in an Amount Not to Exceed \$172,528.50 for a Contract Total of \$381,785.25
    3. Supplemental Agreement No. 2 with Horner & Shifrin, Inc. for the Boones Lick Storm Sewer Project in an Amount Not to Exceed \$195,093.00 for a Contract Total of \$495,093.00
  - E. Preliminary Plats
  - F. Miscellaneous
    1. Report of the Municipal Court Administrator of Monies Collected and Deposited – April 2023
    2. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the 501 South Main Street Community Improvement District
    3. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Fountain Lakes Commerce North Community Improvement District
    4. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the First Capitol Drive Community Improvement District
    5. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Bogey Hills Plaza Community Improvement District
    6. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Charlestowne Crossing Villas Community Improvement District
    7. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Elm & 370 Community Improvement District
    8. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Elm Point Commons Community Improvement District
    9. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Plaza at Noah’s Ark Community Improvement District
    10. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the South Fifth Street Community Improvement District
    11. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Suits U Mexico Community Improvement District
    12. Receipt of the Annual Report for FY 2022 as Submitted by the Board of Directors of the Veteran’s Memorial Parkway Community Improvement District
9. ITEMS REMOVED FROM THE CONSENT AGENDA

10. RESOLUTIONS

- A. A RESOLUTION CALLING A SPECIAL ELECTION FOR NOVEMBER 7, 2023, FOR THE PURPOSE OF CONDUCTING AN ELECTION FOR THE OFFICE OF MUNICIPAL JUDGE (*SPONSORS: ALL MEMBERS OF THE CITY COUNCIL*)
- B. A RESOLUTION OF SUPPORT FOR A ONE YEAR MORATORIUM OF THE APPLICABILITY OF SECTION 400.421 PERTAINING TO THE ISSUANCE OF CONDITIONAL USE PERMITS FOR NEW SHORT TERM RENTAL PROPERTIES IN RESIDENTIAL DISTRICTS TO TAKE EFFECT ON JUNE 17, 2023 AND TO RUN UNTIL JUNE 15, 2024 (*SPONSOR: MARY WEST*)

11. BILLS FOR FINAL PASSAGE

**BILL 13657**

AN ORDINANCE AMENDING ORDINANCE NUMBER 22-162 BY AMENDING CERTAIN REVENUE, EXPENDITURE, AND FUND BALANCE ACCOUNTS FOR THE BUDGET FOR THE FISCAL YEAR 2023 (BUDGET AMENDMENT #6) (*SPONSOR: BRIDGET OHMES*)

**BILL 13658**

AN ORDINANCE AMENDING SECTION 260.030 OF THE CODE OF ORDINANCES PERTAINING TO DEFINITIONS IN THE SMOKING AND NON-SMOKING ESTABLISHMENT SIGN REGULATIONS BY ADDING A DEFINITION FOR MARIJUANA AND AMENDING THE DEFINITION OF SMOKING (*SPONSOR: VINCE RATCHFORD*)

**BILL 13659**

AN ORDINANCE AUTHORIZING A SECOND SUPPLEMENTAL AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TO THE MUNICIPAL AND COST APPORTIONMENT AGREEMENT, APPROVED BY ORDINANCE NUMBER 21-159, IN AN AMOUNT NOT TO EXCEED \$380,552.55, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,463,746.05 (*SPONSORS: VINCE RATCHFORD, JUSTIN FOUST AND BART HABERSTROH*)

**BILL 13660**

AN ORDINANCE DECLARING REAL PROPERTY LOCATED ON WALSH COURT AKA LOT 6 OF SUBDIVISION OF ADJUSTED LOT 23 ELM POINT INDUSTRIAL PARK PLAT 3 AS SURPLUS PROPERTY; AUTHORIZING DISPOSAL BY SALE TO KAY & S PROPERTIES, LLC FOR THE SALE PRICE OF \$125,000.00; AND GRANTING CONTINUING AUTHORITY TO EXECUTE DOCUMENTS NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (*SPONSOR: MICHAEL GALBA*)

**BILL 13661**

AN ORDINANCE AUTHORIZING THE VACATION OF AN EXISTING TEN-FOOT WIDE UTILITY EASEMENT LOCATED ON LOTS 2567, 2568 AND 2572 IN THE NEW TOWN AT ST. CHARLES SUBDIVISION (PLAT SIX-T AND SIX-S) (*SPONSOR: MICHAEL GALBA*)

12. BILLS FOR INTRODUCTION

**BILL 13662**

AN ORDINANCE AMENDING ORDINANCE NUMBER 22-162 BY AMENDING CERTAIN REVENUE, EXPENDITURE, AND FUND BALANCE ACCOUNTS FOR THE BUDGET FOR THE FISCAL YEAR 2023 (BUDGET AMENDMENT #7) (*SPONSOR: BRIDGET OHMES*)

**BILL 13663**

AN ORDINANCE AMENDING CHAPTER 236 OF THE CODE OF ORDINANCES BY ENACTING A NEW SECTION 236.020 PERTAINING TO A REQUIREMENT FOR SELLERS OF RESIDENTIAL REAL ESTATE IN THE CITY OF ST. CHARLES TO PROVIDE CERTAIN DISCLOSURES TO PURCHASERS, AND PROVIDING FOR AN EFFECTIVE DATE (*SPONSOR: VINCE RATCHFORD*)

**BILL 13664**

AN ORDINANCE AUTHORIZING THE CITY OF ST. CHARLES, MISSOURI, TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS (CNP8 REAL ESTATE, LLC PROJECT), SERIES 2023, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF ACQUIRING AND CONSTRUCTING AN INDUSTRIAL DEVELOPMENT PROJECT IN THE CITY; APPROVING A PLAN FOR THE PROJECT; AND AUTHORIZING THE CITY TO ENTER INTO CERTAIN AGREEMENTS AND TAKE CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE BONDS (*SPONSOR: VINCE RATCHFORD*)

**BILL 13665**

AN ORDINANCE AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS REQUIRED FOR THE ELMWOOD STORM SEWER PROJECT BY PURCHASE, DONATION OR EMINENT DOMAIN; AND AUTHORIZING AND PROVIDING FOR CONTINUING AUTHORITY TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACQUISITION OF SAID EASEMENTS (*SPONSOR: MICHAEL FLANDERMEYER*)

**BILL 13666**

AN ORDINANCE AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS REQUIRED FOR THE BERLEKAMP STORM SEWER PROJECT BY PURCHASE, DONATION OR EMINENT DOMAIN; AND AUTHORIZING AND PROVIDING FOR CONTINUING AUTHORITY TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACQUISITION OF SAID EASEMENTS (*SPONSOR: DENISE MITCHELL*)

**BILL 13667**

AN ORDINANCE AUTHORIZING THE ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS REQUIRED FOR THE BLACKHURST ELEMENTARY SANITARY SEWER PROJECT BY PURCHASE, DONATION OR EMINENT DOMAIN; AND AUTHORIZING AND PROVIDING FOR CONTINUING AUTHORITY TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE ACQUISITION OF SAID EASEMENTS (*SPONSOR: BILL OTTO*)

**BILL 13668**

AN ORDINANCE APPROVING THE RECORD PLAT FOR RIVER BREEZE ESTATES PLAT TWO, A SUBDIVISION OF THE CITY OF SAINT CHARLES, MISSOURI (*SPONSOR: BILL OTTO*)

**BILL 13669**

AN ORDINANCE APPROVING THE RECORD PLAT FOR FOUNTAIN LAKES COMMERCE CENTER PLAT ONE RESUBDIVISION OF LOT 5B, A SUBDIVISION OF THE CITY OF SAINT CHARLES, MISSOURI (*SPONSOR: MICHAEL GALBA*)

**BILL 13670**

AN ORDINANCE AUTHORIZING A COOPERATIVE COST SHARING / ROAD DEDICATION AGREEMENT BETWEEN THE CITY OF ST. CHARLES, MISSOURI AND ST. CHARLES RETAIL MANAGEMENT II, LLC FOR MODIFICATIONS TO PLAZA DRIVE THROUGH THE DEVELOPMENT LOCATED AT THE SOUTHEAST CORNER OF ZUMBEHL ROAD AND I-70 IN AN AMOUNT NOT TO EXCEED \$310,818.20 (*SPONSOR: JUSTIN FOUST*)

**BILL 13671**

AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF SAINT CHARLES, MISSOURI, FOR THEIR APPROVAL AT THE SPECIAL ELECTION TO BE HELD IN THE CITY ON NOVEMBER 7, 2023, A PROPOSITION TO AUTHORIZE THE CITY TO IMPOSE AN ADDITIONAL SALES TAX AT THE RATE OF THREE PERCENT ON ALL TANGIBLE PERSONAL PROPERTY RETAIL SALES OF ADULT USE MARIJUANA SOLD WITHIN THE CITY OF SAINT CHARLES, MISSOURI, PURSUANT TO ARTICLE XIV, SECTION 2.6(5) OF THE MISSOURI CONSTITUTION (*SPONSOR: VINCE RATCHFORD*)

**BILL 13672**

AN ORDINANCE AUTHORIZING THE LEASE-PURCHASE OF TWO 2022 AEV TYPE I FORD F-550 4X4 DIESEL AMBULANCES AND ASSOCIATED EQUIPMENT FROM AMERICAN RESPONSE VEHICLES PURSUANT TO A TAX-EXEMPT MASTER EQUIPMENT LEASE-PURCHASE AGREEMENT WITH SIGNATURE PUBLIC FUNDING CORPORATION; AND AUTHORIZING THE EXECUTION AND DELIVERY OF SAID AGREEMENT, AN ESCROW AGREEMENT, AND AN EQUIPMENT SCHEDULE WITH RESPECT TO THE ACQUISITION OF THE AMBULANCES AND ASSOCIATED EQUIPMENT, FOR A TOTAL AMOUNT NOT TO EXCEED \$685,591.54 (*SPONSOR: VINCE RATCHFORD*)

13. EMERGENCY ORDINANCES

14. TABLED BILLS

15. ITEMS FOR COUNCIL ACTION

A. Announcement of Line of Succession (*RCA Attached*)

B. Recommendations of Appointments to Council Committees and Assignment of Council Liaisons to Boards, Commissions and Committees (*referred by Council President Vince Ratchford*) (*RCA Attached*)

16. CLOSED SESSION

- 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)

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, May 11, 2023 – 5:00 p.m.*