

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI  
March 7, 2023

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The City Council convened in a Regular City Council Meeting on Tuesday, March 7, 2023, at 7:15 p.m. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Vince Ratchford, presiding, and Mayor Daniel J. Borgmeyer and Members of the Council present as follows: Tom Besselman, Michael Flandermeyer, Justin Foust, Michael Galba, Denise Mitchell, Bridget Ohmes and Mary West. Absent: Bart Haberstroh and Christopher Kyle. City Clerk Laura Whitehead was present and performed the duties of that office.

File #49226

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by MICHAEL GALBA to excuse the absences of Councilmember Bart Haberstroh and Councilmember Christopher Kyle. MICHAEL FLANDERMEYER seconded the motion. All voted in favor, motion passed.

PRESENTATIONS/AWARDS/PROCLAMATIONS

Presentation of the Human Relations Commission 2022 Annual Report (referred by Councilmember Denise Mitchell)

Councilmember and Council Liaison of the Human Relations Commission Denise Mitchell, read the Human Relations Commission 2022 Annual Report.

File #49241

CITIZEN COMMENTS

Mike Myers, representing the St. Charles Police Officers Association, spoke in favor of Proposition 7 and agenda item 10.A. *A Resolution in Support of Placing Proposition 7 on the April 4, 2023 General Election Ballot, Proposing the Implementation of a Local Use Tax at the Same Rate as the Local Sales Tax.*

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Kelly Hunsel, representing Local 757, spoke in favor of Proposition 7 and agenda item 10.A. *A Resolution in Support of Placing Proposition 7 on the April 4, 2023 General Election Ballot, Proposing the Implementation of a Local Use Tax at the Same Rate as the Local Sales Tax.*

REPORT OF THE MAYOR

Mayor Daniel J. Borgmeyer recommended the City put a halt on the new short-term rentals in the residential areas and consider hiring an employee to monitor short-term rentals for compliance.

Mayor Daniel J. Borgmeyer announced a Bangert Island Task Force has been established and there will be anywhere from 9 to 13 members serving.

Mayor Borgmeyer provided a brief update on the Elm Point Wellfield issue.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Councilmember Michael Flandermeyer announced the following upcoming events: Senior Activity Fair will be held on March 30<sup>th</sup> at the Foundry Art Centre from 9:00 a.m. – Noon. This event is free to the public. St. Charles Municipal Band will be holding its Spring concert on April 16<sup>th</sup> at the Foundry Art Centre at 2:00 p.m. This event is free to the public.

Councilmember Denise Mitchell recommended televising the City Council Work Sessions. Council President Vince Ratchford suggested placing this on a future work session agenda for discussion and that the history of why work sessions are not televised be provided to the Council.

PUBLIC HEARING

Council President Vince Ratchford announced the Public Hearing will now be held. At the conclusion of the Public Hearing, the regular order of business continued.

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- A. Case No. CU-2023-13. (Jeffrey Lage) An application for a Conditional Use Permit from §400.170(D)(1)(a) for a Short Term Rental (specifically for 4 new Short Term Rental units within a multi-tenant building) within R-3A Multiple-Family Residential District located at 3401 Droste Road. The subject property is located in Ward 9. *(RCA Attached)*
- B. Case No. CU-2023-18. (Stacey Harris) An application for a Conditional Use Permit from §400.150(D)(1)(n) for a Short Term Rental (specifically for a new Short Term Rental) within R-1E Single-Family Residential District located at 320 Hawthorn Avenue. The subject property is located in Ward 7. *(RCA Attached)*
- C. Case No. CU-2023-06. (Jack Roddy) An application for a Conditional Use Permit from §400.160(D)(1)(a) for a Short Term Rental (specifically for a new Short Term Rental) within R-2 Two-Family Residential District located at 821 Cole Boulevard . The subject property is located in Ward 9. *(RCA Attached)*
- D. Case No. CU-2023-16. (Jack Roddy) An application for a Conditional Use Permit from §400.150(D)(1)(n) for a Short Term Rental (specifically for an existing Short Term Rental) within R-1E Single-Family Residential District located at 10 Willow Brook Place . The subject property is located in Ward 9. *(RCA Attached)*
- E. Case No. CU-2023-19. (Jack Roddy) An application for a Conditional Use Permit from §400.150(D)(1)(n) for a Short Term Rental (specifically for an existing Short Term Rental) within R-1E Single-Family Residential District located at 807 Boschert Drive. The subject property is located in Ward 1. *This item to be TABLED to the April 4, 2023 Council Meeting. (RCA Attached)*

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- F. Case No. CU-2023-20. (Jack Roddy) An application for a Conditional Use Permit from §400.170(D)(1)(a) for a Short Term Rental (specifically for an existing Short Term Rental) within R-3A Multi-Family Residential District located at 2948 Mayer Drive . The subject property is located in Ward 10. ***(RCA Attached)***
- G. Case No. CU-2023-11. (Shehadh Farajat) An application for a Conditional Use Permit from §400.220(C)(1)(c) for a proposed motor vehicle sales (used vehicles) within the C-2 General Business District located at 2305 Droste Road. The subject property is located in Ward 9. ***(RCA Attached)***
- H. Case No. Z-2023-01. (Rod Thomas – Old Franklin School, LLC) An application to rezone approximately 33,229 square feet of land located at 716 N. 3<sup>rd</sup> Street from R-3A/FPD Multi-Family Residential District/Frenchtown Preservation District to FD/FPD Frenchtown District/Frenchtown Preservation District for a proposed Boutique Hotel. The property is located in Ward 1. ***Application has been withdrawn by the applicant. No City Council Action Required. (RCA Attached)***
- I. Case No. CU-2023-21. (Rod Thomas – Old Franklin School, LLC) An application for a Conditional Use Permit from §400.290(C)(3)&(5) specifically for an accessory Meeting Facility/Auditorium and §400.290(C)(2) for Liquor Sales associated with a permitted use (Boutique Hotel) within FD/FPD Frenchtown District/Frenchtown Preservation District located at 716 N. 3<sup>rd</sup> Street. The subject property is located in Ward 1. ***Application has been withdrawn by the applicant. No City Council Action Required. (RCA Attached)***
- J. Case No. CU-2023-17. (Rod Thomas – 305 N. Main Street, LLC) An application for a Conditional Use Permit from §400.350(C)(1)&(2) specifically for a Meeting Facility/Auditorium and §400.270(C)(1) for Liquor Sales associated with a

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permitted use within CBD/HDD Central Business District/Historic Downtown District located at 305 N. Main Street. The subject property is located in Ward 1. ***(RCA Attached)***

K. Case No. LL-2023-02. Approval of Liquor License Application for Rodney Thomas d/b/a Main Street Management, LLC located at 305 North Main Street ***(Ward 1) (RCA Attached)***

L. Case No. CU-2023-25. (Steve Kehm - Green Courte Acquisition V, LLC) An application for a Conditional Use Permit from §400.240(C)(1)(a) for the expansion of an outdoor storage use specifically of semi-trucks & trailers within the I-1 Light Industrial District located at 3050 Harry S Truman Boulevard. The subject site is located in Ward 6. ***(RCA Attached)***

M. Case No. CU-2023-22. (Andrew Chostner – St. Louis Bourbon Society) An application for a Conditional Use Permit from §400.280(B)(2) specifically for a private meeting facility use within CRD-II/EHP Central Residential District/Extended Historic Preservation District located at 917 S. Main Street. The subject property is located in Ward 2. ***(RCA Attached)***

N. Case No. CU-2023-23. (Dustin Bryson) An application for a Conditional Use Permit from §400.290(C)(5) specifically for a meeting facility use and §400.290(C)(2) for liquor sales associated with a permitted use within FD/FHP Frenchtown District/Frenchtown Historic Preservation District located at 1100 N. 2<sup>nd</sup> Street. The subject property is located in Ward 1. ***(RCA Attached)***

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- O. Case No. LL-2023.01. Approval of Liquor License Application for Dustin Bryson d/b/a Public Art Company located at 1100 North Second Street (***Ward 1***) (***RCA Attached***)
- P. Case No. CU-2022-55. (MJ Property Holdings LLC) An application for a Conditional Use Permit from §400.150(D)(1)(n) for a Short Term Rental (specifically for an existing Short Term Rental) within R-1E/CPD Single-Family Residential District within the Commons Preservation District located at 556 Morgan Street. The subject property is located in Ward 1. ***Item is requested to remain TABLED to the April 4, 2023 Council Meeting. (RCA Attached)***
- Q. Case No. CU-2023-24. (Erica Land) An application for a Conditional Use Permit from §400.290(C)(2) specifically for liquor sales associated with a permitted restaurant use within FD/FHP Frenchtown District/Frenchtown Historic Preservation District located at 1125 N. 2<sup>nd</sup> Street. The subject property is located in Ward 1. ***The Applicant has requested this item to be TABLED to the April 4, 2023 Council Meeting. (RCA Attached)***

CONSENT AGENDA

A motion was made by BRIDGET OHMES to approve the consent agenda. MICHAEL GALBA seconded the motion. A roll call vote was taken with the following results: “Aye”: Foust, Galba, Kyle, Mitchell, Ohmes, Ratchford, West, Besselman and Flandermeyer. “Nay”: None. Absent: Haberstroh. Motion passed.

- A. Approval of Council Minutes and Reports
1. Closed Session of February 7, 2023
  2. Council Work Session of February 14, 2023
- File #49236
3. Closed Session of February 14, 2023

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- B. Receipt of Reports from Boards, Commissions and Committees
1. Landmarks Board Meeting of December 12, 2022  
File #49168
  2. Landmarks Board Meeting of January 23, 2023  
File #49242
  3. Special Business District Advisory Board Meeting of September 1, 2022  
File #49203
  4. Special Business District Advisory Board Meeting of October 6, 2022  
File #49203
  5. Saint Charles Convention & Visitors Commission Meeting of October 27, 2022  
File #49188
  6. Housing Authority Meeting of October 26, 2022  
File #49193
  7. Housing Authority Meeting of November 30, 2022  
File #49193
  8. Human Relations Commission Meeting of November 17, 2022  
File #49179
  9. Planning & Zoning Commission Meeting of January 30, 2023  
File #49243
  10. Parks & Recreation Board Meeting of October 19, 2022  
File #49174
- C. Receipt of Director of Administration Reports (*none*)
- D. Approval of Contracts and Easements
1. Second Amendment to Contract C22-192 with Taft Stettinius & Hollister, LLP Additional Legal Services in an Amount not to exceed \$224,000.00, for a total Contract Amount of \$500,000.00

C22-192

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2. Contract with CCIMW, LLC for the Annual Streetlight Pole Painting Services in an Amount not to exceed \$142,275.00

C23-078

3. Agreement with Cole & Associates, Inc. for the Duchesne Road Rehabilitation Project in an Amount not to exceed \$449,753.40

C23-077

- E. Preliminary Plats (*none*)
- F. Miscellaneous (*none*)

RESOLUTIONS

A RESOLUTION IN SUPPORT OF PLACING PROPOSITION 7 ON THE APRIL 4, 2023 GENERAL ELECTION BALLOT, PROPOSING THE IMPLEMENTATION OF A LOCAL USE TAX AT THE SAME RATE AS THE LOCAL SALES TAX (*SPONSORS: CHRISTOPHER KYLE, VINCE RATCHFORD, DENISE MITCHELL, JUSTIN FOUST, BART HABERSTROH, MICHAEL FLANDERMAYER, MICHAEL GALBA, MARY WEST, AND BRIDGET OHMES*)

**Passed**      “Aye”:          Galba, Kyle, Mitchell, Ohmes, Ratchford, West, Besselman, Flandermeyer and Foust

                  “Nay”:          None

                  Absent:          Haberstroh

**Approved** by the Honorable Mayor on March 9, 2023 and is known as Resolution **23-003**

BILLS FOR FINAL PASSAGE

**BILL 13623**

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ST. CHARLES AND ST. CHARLES COUNTY FOR ACCESS TO AND USE OF THE ST. CHARLES COUNTY BACK-UP DISPATCH











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BILLS FOR INTRODUCTION

The following Council Bills were introduced.

**BILL 13632**

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 #4) (*SPONSOR: BRIDGET OHMES*)

**BILL 13633**

AN ORDINANCE APPROVING COSTS OF CERTAIN IMPROVEMENTS; AND AUTHORIZING PAYMENTS FROM THE PROJECT FUND IN CONNECTION WITH THE VILLAGES OF PROVENCE NEIGHBORHOOD IMPROVEMENT DISTRICT (*SPONSOR: MICHAEL FLANDERMEYER*)

**BILL 13634**

AN ORDINANCE APPROVING THE RECORD PLAT FOR ELM POINT COMMONS PLAT THREE CONDOMINIUM PLAT OF LOT 9A AND LOT 9B, A SUBDIVISION OF THE CITY OF SAINT CHARLES, MISSOURI (*SPONSOR: MICHAEL FLANDERMEYER*)

**BILL 13635**

AN ORDINANCE AUTHORIZING THE SUBMISSION BY THE POLICE DEPARTMENT OF MISSOURI DEPARTMENT OF TRANSPORTATION ("MODOT") TRAFFIC ENFORCEMENT GRANT APPLICATIONS FOR RECEIPT OF OVERTIME REIMBURSEMENT OF POLICE OFFICERS ASSIGNED TO THE TRAFFIC ENFORCEMENT TASK FORCE FOR THE PERIOD OF OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024 (*SPONSORS: DENISE MITCHELL AND MARY WEST*)

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All councilmembers requested to have their names added as sponsors to Council Bill 13635.

The Regular Council Meeting adjourned at 9:38 p.m.

March 21, 2023

Date Approved



Laura L. Whitehead, City Clerk



Vince Ratchford, Presiding Officer

