

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
June 6, 2023

The City Council convened in a Regular City Council Meeting on Tuesday, June 6, 2023 at 7:00 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 Members of the Council present as follows: Michael Flandermeyer, Justin Foust, Michael Galba, Mark Hollander, Denise Mitchell, Bridget Ohmes, Bill Otto and Mary West. Absent: Haberstroh. City Clerk (In Training) Kimberly Hudson 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 absence of Councilmember Bart Haberstroh. MICHAEL FLANDERMEYER seconded the motion. All voted in favor, motion passed.

PRESENTATIONS/AWARDS/PROCLAMATIONS

Introduction of Newly Hired Risk Manager Christian Dunman

Assistant City Administrator Larry Perney introduced newly hired Risk Manager Christian Dunman.

REPORT OF THE MAYOR

Appointments to Boards/Commissions/Committees

A motion was made by MICHAEL GALBA to approve the following appointments:

Zumbahl Road Community Improvement District

The reappointment of Justin Lurk, to serve a new four-year term as Director, with his term expiring July 6, 2027.

The reappointment of Elizabeth Schenk, to serve a new four-year term as Director, with her term expiring July 6, 2027.

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The reappointment of John Shuff, to serve a new four-year term as Director, with his term expiring July 6, 2027.

BRIDGET OHMES seconded the motion. A roll call vote was taken with the following results:

“Aye”: Foust, Galba, Hollander, Mitchell, Ohmes, Otto, Ratchford, West and Flandermeyer.

“Nay”: None. Absent: Haberstroh. Motion passed.

File #49234

CITIZEN COMMENTS

There were no citizen comments.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Councilmember Denise Mitchell announced the council committee on boards and commissions met on June 5th with the Mayor, the Legal Department and Administration. The Legal Department will work on the proposed revisions and bring back to the committee members before bringing back recommendations to the full council.

Councilmember Michael Flandermeyer invited everyone to attend the next St. Charles Municipal Band concert on June 8th in Frontier Park at 7:30 p.m. The event is free of charge and remember to bring your lawn chair and/or blanket.

PUBLIC HEARING

Council President Vince Ratchford announced the Public Hearing would now be held. At the conclusion of the Public Hearing, the Regular Session continued with the order of business.

- A. Case No. Z-2023-06. (William Schroer – St. Louis Distillery, LLC) An application to rezone an approximately 2 acre tract of land, known as 300 Water Street, from C-1/EHP Neighborhood Business District within the Extended Historic Preservation District to HCD/EHP Historic Commercial District and within the Extended Historic Preservation District, specifically for a proposed

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Craft Distillery. The subject property is located in Ward 2. ***Application Withdrawn by the Applicant. No Council Action Required.***

- B. Case No. CU-2023-40. (William Schroer – St. Louis Distillery, LLC) An application for a Conditional Use Permit from §400.200(C)(1)(c) for a Craft Distillery and §400.200(C)(1)(h) for Liquor Sales associated with the Craft Distillery Use within the proposed HCD/EHP Historic Commercial District and within the Extended Historic Preservation District. The subject property is located in Ward 2. ***Application Withdrawn by the Applicant. No Council Action Required.***
- C. Case No. CU-2023-42. (Vern Wunnenberg – Aldi, Inc.) An application for a Conditional Use Permit from §400.220(C)(1)(a) for Liquor Sales associated with a permitted retail grocery store use within C-2 General Business District located at 1095 Regency Parkway. The subject property is located in Ward 6. ***(RCA Attached)***
- D. Case No. LL-2023-11. Approval of Liquor License Application for Robert Jeffries d/b/a Aldi, Inc. #67 located at 1095 Regency Parkway. Ward 6. ***(RCA Attached)***
- E. Case No. Z-2023-03. (Porterhouse Development, LLC) An application to establish zoning upon annexation for an overall 7.8 acres tract (more or less) from St. Charles County R-1E Single-Family Residential District to City of St. Charles C-2 General Business District. The property is generally located north and south of Arena Pkwy, east of the intersection with Hwy 364 (Page Ave.) and will be located in Ward 4 upon annexation. ***To be held open until the June 20, 2023 Regular City Council Meeting. (RCA Attached)***
- Form of Motion:** I move to hold Case No. Z-2023-03 open until the June 20, 2023 Regular City Council Meeting.
- F. Case No. Z-2023-04. (Porterhouse Development, LLC) An application to rezone an overall 7.8 acre tract of land (more or less) from C-2 General Business District

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to PD-C Planned Development – Commercial. The property is generally located north and south of Arena Pkwy, east of the intersection with Hwy 364 (Page Ave.) and will be located in Ward 4 upon annexation. ***To be held open until the June 20, 2023 Regular City Council Meeting. (RCA Attached)***

Form of Motion: I move to hold Case No. Z-2023-03 open until the June 20, 2023 Regular City Council Meeting.

- G. Case No. CU-2023-35. (Michelle Geringer – MTX Automotive) An application for a Conditional Use Permit from §400.220(C)(1)(c) for Motor Vehicle Sales (used vehicles) within C-2 General Business District for an approximate 1.40 acre tract of land located on the west side of N. Highway 94 approximately 40 feet (more or less) north of Riverview Lane. The subject property is located in Ward 1. ***(RCA Attached)***
- H. Case No. CU-2023-33. (Huda Alasadi) 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 206 S. Duchesne Drive. The subject property is located in Ward 9. ***(RCA Attached)***
- I. Case No. CU-2023-38. (Monty Parson) An application for a Conditional Use Permit from §400.160(D)(1)(a) for a new Short Term Rental within R-2 Two-Family Residential District located at 2405-2407 Muegge Road. The subject property is located in Ward 6. ***(RCA Attached)***
- J. Case No. CU-2023-39. (Lindsay Hurt) An application for a Conditional Use Permit from Ordinance #03-172 for a new Short Term Rental within PD-MU/T-5 Planned Development-Mixed Use and within the T-5 Transect Zone located at 3200 Rue Royale Street. The subject property is located in Ward 8. ***(RCA Attached)***
- K. Case No. TA-2023-01. (City of St. Charles) An application to amend Chapter 400 Zoning Code of the Code of Ordinances relating to the regulation of Marijuana in

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compliance with Section XIV of the Missouri State Constitution. (*Council Bill 13675*)

CONSENT AGENDA

Councilmember DENISE MITCHELL requested to remove Agenda Item 8.D.4 from the Consent Agenda for a separate vote.

A motion was made by MICHAEL GALBA to approve the balance of the Consent Agenda. DENISE MITCHELL seconded the motion. A roll call vote was taken with the following results: "Aye": Hollander, Mitchell, Ohmes, Otto, Ratchford, West, Flandermeyer, Foust and Galba. "Nay": None. Absent: Haberstroh. Motion passed.

A. Approval of Council Minutes and Reports

1. Closed Session of April 11, 2023
2. Closed Session of April 18, 2023
3. Closed Session (Regular Meeting) of April 18, 2023
4. Council Work Session of May 9, 2023

File #49236

5. Street Committee Meeting of May 16, 2023

File #49247

6. Public Hearing of May 16, 2023

File #49264

7. Regular Council Meeting of May 16, 2023

File #49226

B. Receipt of Reports from Boards, Commissions, Committees and Task Forces

1. Landmarks Board Meeting of April 17, 2023

File #49249

2. Landmarks Board Meeting of March 20, 2023

File #49249

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3. Veterans Commission Meeting of March 13, 2023
File #49261
4. Liquor Commission Meeting of April 4, 2023
File #49265
5. Board of Adjustment Meeting of May 8, 2023
File #49238
6. Public Works Advisory Board Meeting of February 27, 2023
File #49266
7. Planning and Zoning Commission Meeting of April 24, 2023
File #49243
8. Housing Authority Meeting of March 22, 2023
File #49267
- C. Receipt of Director of Administration Reports
- D. Approval of Contracts and Easements
1. Contract with Color Art Integrated Interiors, LLC to Provide & Install New Furniture at the Police Department in an Amount not to exceed \$687,832.14
C23-170
2. Contract with Holiday Traditions for Holiday Lighting and Decorating Services in an Amount not to exceed \$125,000.00
C23-171
3. Supplemental Agreement No. 1 with Crawford, Murphy & Tilly, Inc., for the South Main Parking Lot under I-70 CMAQ Project in an Amount not to exceed \$37,865.00, for a Total Contract not to exceed \$137,855.00
C21-317

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4. Contract with Nehemiah Group, Inc. to Provide/Conduct Concept & Feasibility Studies in an Amount not to exceed \$150,000.00

REMOVED FROM THE CONSENT AGENDA

E. Preliminary Plats

1. Approval of Resubdivison of Lot 16 of Hughes Industrial Park (Fox Hill Commercial Lots)

File #49228

F. Miscellaneous

ITEMS REMOVED FROM THE CONSENT AGENDA

8.D. Approval of Contracts and Easments

4. Contract with Nehemiah Group, Inc. to Provide/Conduct Concept & Feasibility Studies in an Amount not to exceed \$150,000.00

Cary Summers representative with the Nehemiah Group Inc. provided a presentation relative to the Consent Agenda contract to provide/conduct a Concept and Feasibility Study regarding a Steamboat Museum.

A motion was made by BRIDGET OHMES to approve Consent Agenda Item 8.D.4. DENISE MITCHELL seconded the motion. A roll call vote was taken with the following results: "Aye": Ohmes, West, Foust, Galba and Hollander. "Nay": Mitchell, Otto, Ratchford and Flandermeyer. Absent: Haberstroh. Motion failed.

File #49268

RESOLUTIONS

A RESOLUTION OF SUPPORT FOR SUBMISSION OF A 5310 GRANT APPLICATION THROUGH THE EAST-WEST GATEWAY COUNCIL OF

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GOVERNMENTS FOR ONE (1) REPLACEMENT RIDE STC BUS (*SPONSOR:
VINCE RATCHFORD*)

Councilmember Michael Flandermeyer requested his name be added as sponsor.

Passed “Aye”: Ohmes, Otto, Ratchford, West, Flandermeyer, Foust, Galba
 Hollander and Mitchell
 “Nay”: None
 Absent: Haberstroh

Approved by the Honorable Mayor on June 7, 2023 and is known as Resolution **R23-008**

BILLS FOR FINAL PASSAGE

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*)

Passed “Aye”: Otto, Ratchford, West, Flandermeyer, Foust, Galba, Hollander,
 Mitchell and Ohmes
 “Nay”: None
 Absent: Haberstroh

Approved by the Honorable Mayor on June 7, 2023 and is known as Ordinance **23-061**

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 (*SPONSORS: VINCE RATCHFORD AND DENISE MITCHELL*)

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BILL 13674

AN ORDINANCE AMENDING CHAPTER 675 OF THE CODE OF ORDINANCES RELATING TO THE REGULATION OF MARIJUANA IN COMPLIANCE WITH SECTION XIV OF THE MISSOURI CONSTITUTION (*SPONSOR: VINCE RATCHFORD*)

BILL 13675

AN ORDINANCE AMENDING SECTIONS 400.050 AND 400.230 OF THE CODE OF ORDINANCES PERTAINING TO CERTAIN DEFINITIONS WHICH RELATE TO MARIJUANA FACILITIES AND TO CERTAIN PERMITTED USES IN THE C-3 HIGHWAY BUSINESS DISTRICT, RESPECTIVELY, WITH BOTH AMENDMENTS RELATING TO THE REGULATION OF MARIJUANA IN COMPLIANCE WITH SECTION XIV OF THE MISSOURI CONSTITUTION (*SPONSOR: VINCE RATCHFORD*)

BILL 13676

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 PAUL R. WEGMAN AND MARIE P. WEGMAN FAMILY TRUST CONSISTING OF TWO (2) PARCELS TOTALING APPROXIMATELY FIVE (5) ACRES OF LAND GENERALLY LOCATED NORTH AND SOUTH OF ARENA PARKWAY, EAST OF THE INTERSECTION WITH HIGHWAY 364 (*SPONSOR: MARY WEST*)

BILL 13677

AN ORDINANCE AUTHORIZING A THIRD SUPPLEMENTAL COST SHARE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION

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COMMISSION AND THE CITY OF ST. CHARLES FOR DESIGN AND CONSTRUCTION OF IMPROVEMENTS FOR THE 364/94/MUEGGE INTERCHANGE AND SURROUNDING INTERSECTIONS (*SPONSORS: MARY WEST AND DENISE MITCHELL*)

BILL 13678

AN ORDINANCE AMENDING SECTION 350.050 OF THE CODE OF ORDINANCES PERTAINING TO THE MUNICIPAL GARAGE FEES AND ADDING A PROVISION FOR CITY-OWNED ELECTRIC VEHICLE (EV) CHARGING STATIONS (*SPONSORS: ALL MEMBERS OF THE CITY COUNCIL*)

BILL 13679

AN ORDINANCE AMENDING SECTION 150.030 OF THE CODE OF ORDINANCES TO INCLUDE A NEW CATEGORY OF FEES FOR “FACILITIES – MUNICIPAL PARKING LOTS AND GARAGES.” (*SPONSOR: VINCE RATCHFORD*)

BILL 13680

AN ORDINANCE AUTHORIZING TWO ADDITIONAL STOP SIGNS AT THE INTERSECTION OF FRIEDENS ROAD AND FAIRGROUNDS ROAD TO CONVERT THE INTERSECTION TO A FOUR-WAY STOP AND AUTHORIZING CERTAIN ADVANCED WARNING DEVICES IN ADDITION TO THE STOP SIGNS AT THIS INTERSECTION (*SPONSOR: VINCE RATCHFORD*)

BILL 13681

AN ORDINANCE AUTHORIZING THE CHANGE OF THE STOP SIGN PLACEMENTS AT THE INTERSECTION OF NEW TOWN LAKE DRIVE AND SIMEON BUNKER DRIVE BY REMOVING TWO EXISTING STOP SIGNS ON

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SIMEON BUNKER STREET AND ADDING TWO STOP SIGNS ON NEW TOWN
LAKE DRIVE (*SPONSOR: MICHAEL GALBA*)

BILL 13682

AN ORDINANCE AMENDING SCHEDULE III, TABLE III-A OF CHAPTER 350 OF
THE CODE OF ORDINANCES BY ESTABLISHING A PARKING RESTRICTION
ALONG A PORTION OF RANDOLPH STREET (*SPONSOR: MICHAEL
FLANDERMEYER*)

ITEMS FOR COUNCIL ACTION

Appointment to Board of Adjustment (*referred by Councilmember Denise Mitchell*)

A motion was made by DENISE MITCHELL to approve the appointment of Randall Perkinson, who is replacing Regular Member James Ethington who submitted his resignation, and Mr. Perkinson's term will expire in January, 2025. MARK HOLLANDER seconded the motion. A roll call vote was taken with the following results: "Aye": Ratchford, West, Flandermeyer, Foust, Galba, Hollander, Mitchell, Ohmes and Otto. "Nay": None. Absent: Haberstroh. Motion passed.

At 8:30 p.m., a roll call vote was taken to adjourn into closed session pursuant to RSMo 610.021(1), 610.021(2) and 610.021(3), as amended, with the following results: "Aye": West, Flandermeyer, Foust, Galba, Hollander, Mitchell, Ohmes, Otto and Ratchford. "Nay": None. Absent: Haberstroh. Motion passed.

The open and closed portion of the Regular Council Meeting adjourned at 9:14 p.m.

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June 20, 2023
Date Approved

Kimberly Hudson
Kimberly Hudson, City Clerk (In Training)

Vince Ratchford
Vince Ratchford, Presiding Officer

