

*Our Vision - The City of Weldon Spring fosters a premier Community that is a safe place to live and enjoy life.*



**CITY OF WELDON SPRING  
BOARD OF ALDERMEN WORK SESSION  
ON THURSDAY, APRIL 27, 2023, AT 7:00 P.M.  
WELDON SPRING CITY HALL  
5401 INDEPENDENCE ROAD  
WELDON SPRING, MISSOURI 63304**

**\*\*\*\*TENTATIVE AGENDA\*\*\*\***

A NOTICE IS HEREBY GIVEN that the Board of Aldermen Work Session will be in person at 5401 Independence Road Weldon Spring, Missouri, 63304. Also, the public can attend virtually by video-conference and/or audio-conference call, you may attend the meeting on a desktop, laptop, mobile device, or telephone by following the highlighted instructions below.

**Link to join Zoom Video-Conference Meeting:**

**<https://us02web.zoom.us/j/8163394872?pwd=aUdVRUtdRUdBTvFXyUJUMEtHbm5DZz09>**

**Meeting ID: 816 339 4872  
Password: WS.BOA**

**Or by telephone dial: 1-312-626-6799**

**Meeting ID: 816 339 4872  
Password: 886581**

**PAGE 1 OF 2**

*Our Mission - The City of Weldon Spring will provide premier public services to the Community with integrity, transparency, and fiscal responsibility.*

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**\*\*\*\*WORK SESSION AGENDA 4/27/23 at 7:00 PM\*\*\*\***

**1. CALL TO ORDER**

**2. ROLL CALL and DETERMINATION OF A QUORUM**

A. Ald. Baker	_____	Ald. Kolb	_____
Ald. Clutter	_____	Ald. Martiszus	_____
Ald. Conley	_____	Ald. Yeager	_____

**3. NEW DISCUSSION**

**A. Excavation Permitting Process Discussion – City Engineer**

**B. 04/27/23 Board Meeting Agenda Items – Time permitting.**

**4. OTHER DISCUSSION**

**5. ADJOURN WORK SESSION \_\_\_\_\_**

**\*\*\* No votes are to be taken at a Work Session.**



*wdd*  
*4-21-23*  
*@ 2:30 PM*

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**CITY OF WELDON SPRING  
BOARD OF ALDERMEN REGULAR MEETING  
ON THURSDAY, APRIL 27, 2023, AT 7:30 P.M.  
WELDON SPRING CITY HALL  
5401 INDEPENDENCE ROAD  
WELDON SPRING, MISSOURI 63304**

**\*\*\*\*TENTATIVE AGENDA\*\*\*\***

A NOTICE IS HEREBY GIVEN that the Regular Board of Aldermen Meeting will be in person at 5401 Independence Road Weldon Spring, Missouri, 63304. Also, the public can attend virtually by video-conference and/or audio-conference call, you may attend the meeting on a desktop, laptop, mobile device, or telephone by following the highlighted instructions below.

**Link to join Zoom Video-Conference Meeting:**

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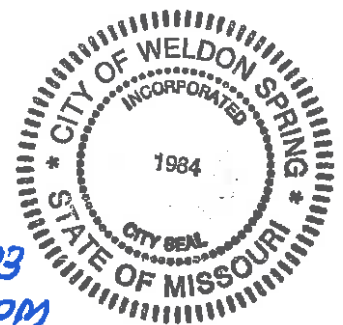
**PAGE 1 OF 2**

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**\*\*\*\*BOARD OF ALDERMEN REGULAR AGENDA – 4/27/23 at 7:30 PM\*\*\*\***

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL and DETERMINATION OF A QUORUM**
- 4. CITIZENS COMMENTS**
- 5. APPROVAL OF MINUTES**
  - A. April 13, 2023 – Regular Board Meeting Minutes**
- 6. CITY TREASURER'S PACKET:**
  - A. Paid Bills (April 1, 2023 – April 20, 2023)**
- 7. UNFINISHED BUSINESS**
  - A. An Ordinance Repealing Section 505.040 known as Permitting Provisions in its Entirety & Enacting in its Place A New Section Known as Permitting Provisions in the City of Weldon Spring, Missouri, Municipal Code and Providing for Penalties for Violators Matters Relating Thereto – Alderman Baker**
  - B. Surplus Equipment List – Sale of Equipment – City Administrator**
- 8. NEW BUSINESS**
  - A. Certification of Election Results – City Clerk**
  - B. Oath of Office – City Clerk**
  - C. Election of Acting President of the Board of Aldermen**
  - D. Six (6) Month Receipts and Disbursements Publication Approval – City Administrator**
- 9. REPORTS & COMMITTEES**
  - A. Architectural Review Commission (ARC) Report – Alderman Clutter**
  - B. Finance Committee Report – Alderman Clutter**
  - C. Parks & Recreation Advisory Committee (PRAC) Report – Alderman Martiszus**
  - D. City Administrator Report – City Administrator**
- 10. RECEIPTS & COMMUNICATIONS**
- 11. ADJOURNMENT**



**PAGE 2 OF 2**

*Our Mission - The City of Weldon Spring will provide premier public services to the Community with integrity, transparency, and fiscal responsibility.*

**CITY OF WELDON SPRING  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
APRIL 13, 2023**

**CALL TO ORDER:** The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday April 13, 2023, at approximately 7:33 PM. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. The meeting was called to order by **Mayor Donald Licklider**.

**PLEDGE OF ALLEGIANCE:** All present stood, and the Mayor led all in the Pledge of Allegiance.

**ROLL CALL AND DETERMINATION OF QUORUM:** The following Alderman were present in person: **Alderman Baker, Alderman Clutter, Alderman Conley, Alderman Kolb, Alderman Martiszus, and Alderman Yeager**. A quorum was declared. Also present in person were **Mayor Don Licklider and City Administrator Michael Padella**.

**APPROVAL OF MINUTES:** **Alderman Clutter** pointed out a typographical error in the minutes from the previous Board of Aldermen meeting, and the Deputy City Clerk noted same to be corrected. **Alderman Clutter** then moved to approve the minutes of the minutes as corrected from the Board of Aldermen meeting on March 23, 2023. **Alderman Yeager** seconded. A voice vote was taken, all voted to approve, and the minutes were approved.

**PUBLIC HEARING:** There was no public hearing.

**CITY TREASURER'S REPORT:** **Alderman Clutter** moved to accept the Treasurer's packet of paid bills from March 17, 2023, to March 31, 2023. **Alderman Yeager** seconded the Motion, and a voice vote was taken. All voted in favor of accepting the packet as presented, and the motion was carried. The paid bills were unanimously accepted by acclamation. There was discussion led by **Alderman Kolb** regarding payment of bills with multiple checks to the same vendor and asked why this was. The City Administrator stated he would check into this and report back.

**UNFINISHED BUSINESS:** There was no unfinished business.

**NEW BUSINESS:**

- A. **Alderman Baker** read the Ordinance to Repeal Section 505.040 known as Permitting Provisions in its Entirety and Enacting in its place a New Section in the City of Weldon Spring, Missouri, Municipal Code and matters relating thereto. After the reading, **Mayor Licklider** called for the proposal to be named a Bill and was given Bill Number 1197. Discussion ensued. **City Attorney Wohler** noted that there were changes that he had recommended that were not included in the proposed Bill. **Alderman Martiszus** also stated that he had proposed changes on Page Two that were not evident. Due to the

myriad of desired changes to the language of the Bill, **Mayor Licklider** stated that the Bill would be reworked by City Staff before the next regular Board of Aldermen meeting on April 27, 2023 and further discussion of the Bill would be held at that time prior to a vote by the Aldermen.

- B. **Alderman Baker** made a motion to approve Supplemental Agreement #1 with Cochran Engineering allowing them to move forward with additional Pedestrian Crossing Evaluations at Rodelle Woods/Independence Rd. and Pitman Hill/Towers Rd intersections and begin engineering design work for the Walking Facility Improvements along Westwood Dr. Alderman Yeager seconded. A voice vote was taken, and all voted in favor of the Motion.
- C. **Surplus Property List – Public Sale:** There was discussion regarding the City holding a Public Sale of Surplus City Property. **City Administrator Padella** spoke about the large items that will be available, and also the smaller items that will be offered for sale. The sale of the items in question will be held on the day of the City's Shredding and Electronic Recycling Day, April 29, 2023. **City Administrator Padella** said that it would be the best time to have the sale due to increased traffic at City Hall for the shredding event.
- In addition, to be offered in the sale will be the old log cabin that has been on the City property for years.

After discussion, it was agreed that the formal review and approval of the proposed surplus property list would be considered at the next regular Board of Aldermen. It was also agreed by consensus to allow the public sale to be advertised in the meantime.

## **REPORTS AND COMMITTEES:**

A.) **Public Safety Report:** **Lt. Rick Luetkenhaus** of the St. Charles County Police Department was present and presented his report. There was a discussion of the incident reports, and **Mayor Licklider** thanked Lt. Luetkenhaus for the increased visible police presence in the City. **Lt. Luetkenhaus** asked how the Mayor liked the re-decaled police car design that designated the Weldon Spring contract officers' cars.

B.) **PRAC (Parks and Recreation Advisory Committee)** **Alderman Martiszus** discussed the current design layout for the "Siedentop" Pocket Park. He commented about the configuration of the walking trail and its apparent distance from the creek. There was discussion regarding clearing of invasive plant species as well as other debris in the creek area as part of the park improvement project.

Next, the PRAC also recommended naming this Pocket Park the "Weldon Spring Crooked Creek Park"; discussion ensued about the naming of the park and the consensus was to further consider the naming of the park at a later time.

Finally, he discussed the PRAC's desire to see the facility needs assessment for City Hall move forward as this is a project that was budgeted in FY 2023.

**C.) City Administrator Michael Padella** had previously presented much of his report earlier in the Work Session that preceded the regular Board of Aldermen meeting.

#### **RECEIPTS & COMMUNICATIONS:**

- a) **Alderman Clutter** talked about the next Finance committee meeting on April 26, 2023, the day before the next regularly scheduled Board meeting.
- b) **Alderman Baker** discussed the Marijuana Sales Tax that had passed at the St. Charles County general election on April 4<sup>th</sup> and expressed questions about Marijuana Sales Tax propositions for the City to consider.
- c) **Alderman Conley** had no report or communications.
- d) **Alderman Martiszus** had no report or communications.
- e) **Alderman Yeager** had no report or communications.
- f) **Alderman Kolb** had no report or communications.
- g) **Mayor Licklider** discussed having communications with representatives from i3 Broadband a fiberoptic company, and also spoke about the loss of Los 3 Compadres restaurant over the past week.

**CITIZEN COMMENTS:** Tom Szlazi was present and spoke about the Pocket Park and expressed his desire to acknowledge John Weldon in the naming of the new Park. Mr. Szlazi's comments led to a discussion of the cleanup needed at the actual source of the original John Weldon Spring at Highway 94 near Highway 40.

**ADJOURNMENT:** **Alderman Kolb** moved to adjourn the meeting and **Alderman Clutter** seconded the motion. The motion was carried by acclamation and the meeting was adjourned at approximately 8:47 PM.

Respectfully submitted,

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Laura Brown, CCA  
Deputy City Clerk

**PAID BILLS TO BE APPROVED  
APRIL 1, 2023 -- APRIL 20, 2023**

EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS  
27TH DAY OF APRIL 2023 \_\_\_\_\_, MAYOR



4/1/2023 THRU 4/20/2023

VENDOR

## ACCOUNTS PAYABLE CLAIMS REPORT

REFERENCEGL ACCT NOAMOUNTCHECK #CHECK DATE

ANIMAL CARE SERVICE INC	REMOVAL OF DECEASED DEER	22-22-5440	\$ 125.00	9656	4/13/2023
BUILDINGSTARS OPERATIONS INC	MONTHLY HOUSEKEEPING/APR 23	20-20-5244	\$ 240.00	10230140	4/13/2023
CENTRAL BANK OF ST LOUIS	ANALYSIS BANK FEES MAR 2023	10-10-5216	\$ 227.37	10230139	4/4/2023
COCHRAN	WOLFRUM TRAIL EXTENSION	20-20-5314	\$ 26.25	9655	4/13/2023
COTTEVILLE/WELDON SPRING	APRIL GMM / YEAGER	10-10-5201	\$ 25.00	9657	4/13/2023
DOUGLAS R SMITH	MUNI COURT PA FEB 2023	10-10-5304	\$ 1,300.00	9652	4/4/2023
KANSAS CITY LIFE INS CO	GROUP LIFE INS	10-02-2110	\$ 1.32	10230133	4/4/2023
KANSAS CITY LIFE INS CO	GROUP LIFE INS	10-10-5131	\$ 221.50	10230133	4/4/2023
MO LAWYERS MEDIA/ST CHAS BUS RECORD	PUBLIC NOTICES	10-10-5214	\$ 39.10	9654	4/13/2023
MO DEPT OF NATURAL RESOURCES	ANNUAL DUES/MO CLEAN WATER LAW	10-10-5204	\$ 250.00	16699	4/18/2023
MOCFOA EASTERN DIV	LUNCHEON MEETINGS	10-10-5201	\$ 20.00	16700	4/18/2023
O'FALLON MUNICIPAL COURT	BANK SVC FEES	10-10-5216	\$ 49.15	16696	4/13/2023
O'FALLON MUNICIPAL COURT	COURT COSTS	10-16-5306	\$ 756.00	16696	4/13/2023
O'FALLON MUNICIPAL COURT	COURT SERVICES/JAN-MAR2023	10-16-5606	\$ 9,000.00	16696	4/13/2023
PURITAN SPRING WATER	BOTTLE WATER	20-20-5255	\$ 64.10	10230141	4/13/2023
QUADIENT FINANCE USA, INC	INK CARTRIDGE/POSTAGE METER	10-10-5213	\$ 140.60	4653	4/4/2023
QUADIENT LEASING USA, INC	LEASE 4/29--7/28/23	10-10-5220	\$ 149.91	9651	4/4/2023
REPUBLIC SERVICES	TRASH SERVICE	20-20-5254	\$ 141.27	9649	4/4/2023
SCC GOVT - FINANCE DEPT	APR - JUNE 2023/2ND PAYMENT	22-19-5305	\$ 67,527.50	16698	4/13/2023
SLACMA	APRIL MEETING/PADELLA	10-10-5201	\$ 15.00	16697	4/13/2023
ST CHARLES IT	IT SERVICES	10-10-5325	\$ 618.37	9650	4/4/2023
SUE STEIGER	LODGING/GFOA CONFERENCE	10-10-5201	\$ 474.91	16701	4/18/2023
SUE STEIGER	MILEAGE TO GFOA CONFERENCE	10-10-5202	\$ 265.28	16701	4/18/2023
WEX BANK	FLEET GAS CARD	20-20-5237	\$ 291.53	9658	4/13/2023

Accounts Payable Total

\$ 81,969.16

## Current Section 505.040 of the Municipal Code

### Chapter 505. Streets, Sidewalks and Other Public Places

#### Article II. Construction Of Facilities In, Along, Across, Under And Over Public Rights-of-Way

##### Section 505.040

##### Permitting Provisions.

- A. Permit Requirements. Any person desiring to conduct facilities work within public rights-of-way must first apply for and obtain a permit in addition to any other building permit, license, easement or authorization required by law, unless such facilities work must be performed on an emergency basis, then the person conducting the work shall as soon as practicable notify the City of the location of the work and apply for the required permit by the third business day following the commencement of the facilities work.
1. All applications for permits shall be submitted to the City Engineer.
  2. The City Engineer shall design and make available standard forms for such applications, requiring such information as the City Engineer determines to be necessary, consistent with the provisions of this Chapter, to accomplish the purposes of this Article.
  3. Each such application shall be accompanied by payment of fees as designated in this Article.
  4. The City Engineer shall review each application for a permit and, upon determining that the applicant has authority to perform the desired facilities work and that the applicant has submitted all necessary information and has paid the appropriate fee, shall issue the permit except as provided in Subsection (A)(5).
  5. It is the intention of the City that disruption of the public rights-of-way should be minimized. Upon receipt of an application for a permit, the City Engineer shall do the following:
    - a. Evaluate the degree of excavation necessary to perform the facilities work in the right-of-way and determine whether the excavation will be more than minor in nature. If the applicant can show to the City Engineer's reasonable satisfaction that the facilities work involves any of the following:
      1. No significant disruption or damage to the public rights-of-way, or
      2. Time-sensitive maintenance; then the City Engineer shall grant the permit without delay, provided that if the permit is not issued in ten (10) business days, the aggrieved party may appeal as provided in Subsection (A)(9); and
    - b. circumstances where the City Engineer determines that there will be significant excavation of the public rights-of-way and no exemption under Subsection (A)(5)(a) or any other provision of this Section applies, the City Engineer may, consistent with the time requirements set forth in this Section and in the permit, direct permit holders performing facilities work in the same area to consult on how they may schedule and coordinate their work to accomplish the goal of this Section.

## **Current Section 505.040 of the Municipal Code**

6. Each permit shall include projected commencement and termination dates or, if such dates are unknown at the time the permit is issued, a provision requiring the permit holder to provide the City Engineer with reasonable advance notice of such dates once they are determined; length of public rights-of-way; number of road crossings; information regarding scheduling and coordination of facilities work, if applicable, and location of facilities.
7. The City Engineer may include in permits such conditions and requirements as are reasonably necessary to protect structures and facilities in the public rights-of-way from damage and for the proper restoration of such public rights-of-way, structures and facilities and for the protection of the public and the continuity of pedestrian and vehicular traffic.
8. The City Engineer may deny a permit application for the following reasons if deemed in the public's interest:
  - a. Undisputed past due fees from prior permits,
  - b. Failure to return the right-of-way to its previous condition under previous permits,
  - c. Undue disruption to existing utilities, transportation or City use,
  - d. Area is environmentally sensitive as defined by State or Federal Statute.
  - e. Failure to provide required information, and
  - f. The applicant is in violation of the provisions of this Article

Notwithstanding the provisions of Subsections (A)(8)(c) and (d) above, the City Engineer will cooperate with the applicant to identify alternative routes which most nearly match the routes requested by applicant for the placement of facilities.

9. The applicant may appeal any final decision of the City Engineer to:
  - a. The City Administrator, which appeal shall be acted upon by the City Administrator within five (5) business days; and
  - b. If denied by the City Administrator the applicant may then appeal to the Board of Aldermen of the City, which shall consider the appeal at its next regular meeting.
10. The applicant must pay the following fees:
  - a. Any fees/escrows collected pursuant to this Section will be used only to reimburse the City for its actual incurred cost of managing the rights-of-way and will not be used to generate revenue to the City above such costs.
  - b. Fees/escrows are charged to recover the City's actual costs for an applicant's facilities work in the right-of-way, including the costs of processing permits, inspections and administration of this Article, excluding legal fees relating to the interpretation or enforcement of this Article, including all such appeals.

## **Current Section 505.040 of the Municipal Code**

### **B. Applicant Subject To Other Laws, Police Power.**

1. An applicant shall at all times be subject to all lawful exercise of the Police powers of the City, including, but not limited to, all powers regarding zoning, supervision of construction and control of public rights-of-way.
2. No action or omission of the City shall operate as a future waiver of any rights of the City under this Article.
3. The City shall have the maximum plenary authority to regulate applications, permits and facilities work as may now or hereafter be lawfully permissible. Except where rights are expressly granted or waived by a permit, they are reserved, whether or not expressly enumerated. This Article may be amended from time to time, and in no event shall this Article be considered a contract between the City and an applicant such that the City would be prohibited from amending any provision hereof.

## Current Excavation Application

### City of Weldon Spring

5401 Independence Road, Weldon Spring, MO 63304 636-441-110 Fax 636-441-8495

## APPLICATION FOR EXCAVATION PERMIT

PETITIONER: \_\_\_\_\_

PERMIT NO. \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

☐ PUBLIC ROW

☐ PRIVATE PROPERTY ☐ PLANS ATTACHED

#### TYPE OF WORK

☐ UTILITY

☐ WATER

☐ COMMUNICATIONS

☐ SANITARY ☐ ELECTRICAL

☐ GAS

☐ OPEN CUT

☐ BORING

☐ BOTH OPEN CUT/BORING

☐ PRIVATE

☐ DRIVEWAY / SIDEWALK

☐ OTHER (DESCRIBE BELOW)

☐ MO ONE CALL TICKET # \_\_\_\_\_

Request permission to: \_\_\_\_\_

Is approved subject to the following conditions:

1. Permit and inspection fee shall be paid to the City of Weldon Spring. **Excavation Permits are \$150.**
2. The City of Weldon Spring shall be notified 24 hours prior to commencement and completion of construction.
3. Permittee shall contact all underground utilities prior to excavation.
4. Applicant shall review and adhere to all City of Weldon Spring -Sediment and Control Ordinances.
5. A protective lane for traffic shall be provided at all times.
6. Adequate warning signs shall be installed and maintained by permittee until construction is complete.
7. All crossings must be bored if streets are paved prior to utility installation.
8. All excavation under and two feet outside the pavement shall be back filled with granular material and water jetted by a method that will prevent further settlement. All other areas may be backfilled with job excavated material shall be maintained by the contractor until the trench has completed its settlement.
9. The contractor shall maintain all settled trenches until final settlement has occurred.
10. Restore disturbed area to original condition. All graded areas need to be restored within 14 days, weather permitting.
11. Permission granted only for work in the City of Weldon Spring.
12. All new or relocated utility placements shall be installed at a minimum of 30 inches depth.
13. The petitioner has 2 years from the date this permit was issued to request their escrow be refunded. After 2 years all escrow moneys will be relinquished to the City of Weldon Spring.
14. **Proof of Insurance** with a \$1,000,000 General Liability coverage with City of Weldon Spring, 5401 Independence, Weldon Spring, MO listed as the Certificate of Holder.
15. A **ROW/Maintenance Bond** for \$10,000 or the value of the disturbed areas, whichever is greater, shall be issued by a surety acceptable to the City of Weldon Spring, and shall contain the following endorsement: "This bond may not be canceled, or allowed to lapse until sixty (60) days after receipt by the city, by certified mail, return receipt requested, of a written notice from issuer of the bond of intent to cancel or not to renew." The amount of bond based upon the value of work and potentially impacted improvements.
16. Applicant shall, at its sole cost and expense, indemnify, hold harmless, and defend the city, its officials, boards, board members, commissions, commissioners, agents, and employees, against any and all claims, suits, causes of action or proceedings, and judgements for damages or equitable relief which are caused by the acts, errors and omissions of Applicant arising out of the construction and maintenance of its Facilities.
17. Recovery by the City of any amounts under the performance bond or otherwise does not limit an Applicant's duty to indemnify the City in any way, nor shall such recovery relieve an Applicant of its obligations under a Permit or reduce the amounts owed to the City other than by the amounts recovered by the City under the performance bond, or in any respect prevent the City from exercising any other right or remedy it may have.

This permit is subject to the requirements of City of Weldon Spring Ordinance Number 01-34.

Approved by \_\_\_\_\_ Date \_\_\_\_\_ Permit Fee \$ \_\_\_\_\_

PERMIT VOID AFTER 365 DAYS UNLESS SCHEDULE PROVIDED AND APPROVED BY CITY ENGINEER

\*\*\*\*\*

AN ORDINANCE REPEALING SECTION 505.040 KNOWN AS PERMITTING PROVISIONS IN ITS ENTIRETY AND ENACTING IN ITS PLACE A NEW SECTION KNOWN AS PERMITTING AND EXCAVATION PROVISIONS IN THE CITY OF WELDON SPRING, MISSOURI, MUNICIPAL CODE AND PROVIDING FOR PENALTIES FOR VIOLATORS AND MATTERS RELATING THERETO

\*\*\*\*\*

**WHEREAS**, the City has previously regulated the use of Public Right-of-Way through its ordinances and practices; and

**WHEREAS**, it is determined by the Board of Aldermen of the City of Weldon Spring that it is in the best interest of the City, its residents, and businesses to minimize any disruption of primary uses of Public Right-of-Way, and to minimize any damage to Public Right-of-Way; and

**WHEREAS**, it is further determined by the Board of Aldermen of the City of Weldon Spring that it is in the best interest of the City, its residents, and businesses to formalize the permit process and expectations, from permit applicants, to efficiently handling requests for access to and use of Public Right-of-Way.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI AS FOLLOWS:

**SECTION 1:** That Section 505.040 of the Municipal Code of the City of Weldon Spring, Missouri ("Code") shall be replaced to read as follows:

**Section 505.040      Permitting and Excavating Provisions**

1

**A. Permit Requirements**

1. No person shall conduct any excavating work within the public right-of-way without first obtaining a right-of-way permit from the City for such excavation, in addition to any other permit, license, easement, or authorization required by law.
2. All applications for permitted work in the right-of-way shall be submitted to the City Engineer. Each application must include the following information:
  - a. Any names, addresses, and telephone numbers of companies (i.e., parent company, contractor, and subcontractor) that are associated with the application and the project.
  - b. A summary explaining the purpose of the project and how long the project would affect the right-of-way.

- c. A Certificate of Insurance (COI) for each permit.
  - 1. The COI must be co-listed by the parent company, contractor, and the sub-contractor
  - 2. The COI must identify the City of Weldon Spring, its elected officials and employees as an additional insured and as the Certificate Holder when applicable.
  - 3. The minimum coverage for Commercial General Liability is \$2,500,000 per each occurrence; however, the coverage amount may be increased by the City based on increased upon applicable risk factors.
  - 4. To the extent allowed or imposed by law, the Permit holder agrees to hold harmless the City, its elected officials and employees from all liability, judgments, costs, expenses and claims growing out of injury or damages of any nature whatsoever, to any person or property arising out of performance or non-performance of said work, or existence of said improvements. The Permit holder shall carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the City its elected officials and its employees, as additional named insured.
  - 5. Plans for major utility work must be sealed by a registered professional engineer in Missouri showing what exactly is being done in the right-of-way. The plans shall show the right-of-way limits for each road where the proposed utility or other improvements will be constructed. The only work permitted by the City will be work within the right-of-way limits. Any right-of-way limits in question must be determined by a Professional Land Surveyor Licensed in Missouri.
- b. A timeline schedule for the "Large Scale Projects" shall be provided
  - 1. Large Scale Projects shall be defined as those projects encompassing a scope of work occurring adjacent to or on three (3) or more properties/lots or work consisting of 300 or more linear feet in length whichever is greater.
- c. A Right-of-Way/maintenance bond of \$10,000 or the value of the public improvements in the distributed area, whichever is greater.
- d. The fee is \$150.00 per permit.

3. Each Permittee shall hold no more than three (3) Excavation Permits involving active directional boring or open trench excavation at any specific time or area.
4. All permit holders for permitted work in the right-of-way shall fully restore disturbed areas with comparable or like materials and configurations, and be compacted as had existed prior to the start of work.
5. Each Excavation Permit shall automatically expire after 120 days but may be extended by 30 days upon written request by the Permittee, and at the discretion of the City Engineer.

B. Excavation Done Without a Permit.

1. Emergency Work.

- a. In cases where excavations must be conducted within the public right-of-way on an emergency basis, obtaining a right-of-way permit under Subsection A of this Section 505.040 prior to the excavation is not required. The person performing such an emergency excavation within public right-of-way shall immediately notify the City of the location and nature of the emergency if said excavation is performed during normal business hours. If emergency excavation must occur outside of normal business hours a message should be left with City Hall, attention City Engineer, provided, however, said person shall apply for the excavation permit required by Subsection A of this Section 505.040. for the emergency excavation by the next business day and shall comply with the requirements of this Ordinance.
  - b. Any person performing an emergency excavation shall make reasonable efforts to contact each public utility right-of-way user affected by the emergency excavation.
2. Except in the case of an emergency, any person who, without first having obtained the necessary right-of-way permit, who performs excavation(s) within a public right-of-way must, in addition to any penalties provided for the violation of ordinances of the City, subsequently obtain a right-of-way permit, pay double the normal fees for said right-of-way permit, deposit with the City all monies necessary to repair any damage caused by the unauthorized excavation in the public right-of-way, and comply with all of the requirements of this Ordinance and of all other City ordinances.

C. Safety Requirements



1. The permit applicant must submit a traffic control plan (TCP) conforming to the Manual on Uniform Traffic Control Devices (MUTCD) for any work on, or adjacent to, a public roadway. Traffic Control Plans for major utility work shall be sealed by a registered licensed professional engineer in Missouri.
2. No public roads may be temporarily closed or have land closures during morning (6AM – 9AM) or afternoon (3PM – 6PM) hours Monday through Friday.
3. No equipment or materials may be stored overnight on the public Right of Way.
4. All workers present within the public Right of Way must wear the proper Personal Protective Equipment (PPE) and carry identification (ID) cards available to the public upon request.
5. The permit holder will be responsible to contact and notify all police, fire, EMS and school districts impacted by any longer duration of roadway closure impeding traffic.
6. Prior to beginning work, the applicant must request from the established Missouri One-Call System, the location of all utilities in the right of way. The applicant will take every effort to assure no other utilities or improvements are impacted by the proposed utility work.
7. To ensure safety and quality control measures are manageable, no permitted work shall encompass or exceed a maximum area consisting of more than 2,500 linear feet of length.
8. For all underground borings:
  - a. All boring equipment shall be calibrated in accordance with the manufacturer's specifications. In addition, the calibration shall be checked at a minimum of once per day and at any time the location for the boring head is determined to be unknown during operations. Such a check shall be conducted to ensure that the equipment is correctly calibrated and functioning properly. The supervisor on duty shall keep a log on the project site indicating the performance of any calibrations or checks, including a signature verifying that the check was witnessed. This log will be made available to the City Building Inspector upon request at any time. Failure to produce confirmation and proof of calibration/checks will constitute an violation and shall be documented by the City.
9. For any land disturbance activity, the Permit holder shall install erosion and sediment control measures as necessary to prevent pollution of streams, lakes,

ponds and wetlands, and to prevent silt from entering or leaving the City right of way. The Permit holder agrees to restore vegetation with seed and mulch, sodding, or other approved methods, prior to removal of sediment control devices.

10. The City Engineer may include in permits additional conditions and requirements as are reasonably necessary to protect structures and facilities in the public right-of-way from damage and for the proper restoration of such public rights-of-way, structures and facilities and for the protection of the public and the continuity of pedestrian and vehicular traffic.
11. Any disruption of the public right-of-way should be minimized.
12. There should be no significant disruption or any damage to the public right-of-way.
13. All work covered under this permit is to be in accordance with the St. Charles County Highway Design Standards, the City of Weldon Spring Ordinances and The Manual on Uniform Traffic Control Devices (MUTCD current edition) where applicable.
14. All costs incurred due to the issuance of this permit shall be borne by the Permit holder, the Permit holder's successors, and assigns.

#### D. Denials and Appeals

1. The City Engineer may deny a permit application for the following reasons if deemed in the public's interest:
  - a. Undisputed past-due fees from prior permits,
  - b. Failure to return the right-of-way to its previous condition under previous permit,
  - c. Undue disruption to existing utilities, transportation, or City uses,
  - d. Area is environmentally sensitive as defined by State or Federal laws,
  - e. Failure to provide required information, or,
  - f. The permit applicant is in violation of the provisions of this Ordinance.

**2. Appeal Process**

- a. The initial appeal from any permit denial shall be to the City Administrator, and the appeal shall be acted upon by the City Administrator within five (5) business days; and
- b. If denied by the City Administrator the permit applicant may then appeal to the Board of Aldermen of the City, which shall consider the appeal at its next regular Board meeting.
- c. Any vote by the Board of Aldermen must be a 2/3rds vote to approve an appeal of a denial

**E. Violations**

1. An permit holder shall at all times be subject to all lawful exercise of the police powers of the City, including, but not limited to, all powers regarding zoning, supervision of construction and control of public right-of-way.
2. The obtaining of this permit does not relieve the Applicant of the responsibility for obtaining other permits required by the City or any other agency having jurisdiction.
3. No action or omission of the City shall operate as a future waiver of any rights of the City under this Ordinance.
4. The City shall have the maximum plenary authority to regulate applications, permits and facilities work as may now or hereafter be lawfully permissible. Except where rights are expressly granted or waived by a permit, they are reserved, whether or not expressly enumerated. This Ordinance may be amended from time to time, and in no event shall this Ordinance be considered a contract between the City and an permit holder such that the City would be prohibited from amending any provision hereof.

**Section 2:** That any person, firm, or corporation determined to be in violation of any provision of this Ordinance shall be punished by a fine not exceeding two hundred (\$200) dollars for each violation.

**Section 3:** That this ordinance shall be in full force and effect upon its enactment and approval, and should any provision be finally determined to be unconstitutional by any court of competent jurisdiction the remaining provisions of this Ordinance shall remain in full force and effect.

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF  
WELDON SPRING, MISSOURI, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2023.*

\_\_\_\_\_  
Donald D. Licklider, Mayor

Attest:

\_\_\_\_\_  
William C. Hanks, City Clerk

**BILL NO.** \_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

To approve Bill #

Motioned: \_\_\_\_\_

Seconded: \_\_\_\_\_

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Conley	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: \_\_\_\_\_

City of Weldon Spring: Surplus Property/Equipment (\$1000 threshold)								
ID Code: S/N:	Date:	Value Est.:	Qty:	Name:	Description	Dept. Use:	Primary Location:	Secondary Location:
1 5DT211711061376	4/6/2023	\$ 1,001	1	HAM Radio Trailer	Damaged in 2009 Fire	Emergency Management	Park Bldg	
2 5RTBE1014AD019202	4/6/2023	\$ 2,000	1	2010 Lark Victory Trailer	CERT Trailer	Emergency Management	Park Bldg	
3 4D0356	4/6/2023	Salvage	1	Kabota Zero-turn Mower	Inoperative/spare parts	Parks	Park Bldg	
4 N/A	4/6/2023	\$ 1,001	LOT	Log Cabin Materials	Logs	Parks	Side of Brock Shed	

Election Summary Report  
GENERAL MUNICIPAL ELECTION  
ST. CHARLES COUNTY, MISSOURI  
TUESDAY, APRIL 4, 2023  
Election Results  
CERTIFICATION

Date: 4/14/2023  
Time: 11:19:12 AM  
Page 1/1

Registered Voters 285,981 - Total Ballots 47,673 : 16.67%

118 of 118 Precincts Reporting 100.00%

WELDON SPRING MAYOR

Number of Precincts	4	
Precincts Reporting	4	100.00%
Vote For 1		
Total Votes	982	
DON LICKLIDER	933	95.01%
WRITE IN	49	4.99%

WELDON SPRING ALDERMAN WARD 1

Number of Precincts	3	
Precincts Reporting	3	100.00%
Vote For 1		
Total Votes	455	
TOM YEAGER	320	70.33%
EMILY SWIFT-WISE	135	29.67%
WRITE IN	0	0%

WELDON SPRING ALDERMAN WARD 2

Number of Precincts	4	
Precincts Reporting	4	100.00%
Vote For 1		
Total Votes	341	
JANET KOLB	323	94.72%
WRITE IN	18	5.28%

WELDON SPRING ALDERMAN WARD 3

Number of Precincts	4	
Precincts Reporting	4	100.00%
Vote For 1		
Total Votes	219	
GERRY BAKER	215	98.17%
WRITE IN	4	1.83%



IN WITNESS WHEREOF: I, Kurt Bahr, Director of Elections in and for the County of Saint Charles, State of Missouri, do hereby certify the figures set out herein are Official Results of the April 04, 2023, General Municipal Election. Given under my hand and official seal this 14th day of April 2023.

Kurt M. Bahr, Director of Elections, Saint Charles County Missouri