



**CITY OF WELDON SPRING  
BOARD OF ALDERMEN REGULAR MEETING  
ON TUESDAY, JULY 14, 2020, AT 7:30 P.M.  
WELDON SPRING CITY HALL  
5401 INDEPENDENCE ROAD  
WELDON SPRING, MISSOURI 63304**

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

As a precautionary measure to help prevent the exposure and the spread of the Coronavirus (COVID-19) pandemic, A NOTICE IS HEREBY GIVEN that the Regular Board of Aldermen Meeting will be in person at 5401 Independence Road Weldon Spring, Missouri, 63304; however, the public is strongly encourage to 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/83401599900?pwd=NGJNRTNpRUZVM1dvTlhzVC9QV3h6QT09>

**Meeting ID: 834 0159 9900**

**Password: BOA200714**

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

**Meeting ID: 834 0159 9900**

**Password: 722980714**

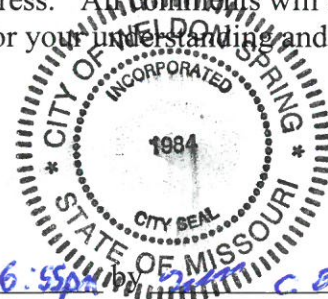
Anyone that attends the meeting must understand the follow rules with be strictly enforced:

- **Any person attending the Meeting at the City Hall or Parks building must wear a mask. If you do not have a mask; one will be provided.**
- **Your temperature will be taken before entering the building.**
- **You will be asked screening questions used by St. Charles County Health Department**
- **You will be required to provide contact information for tracing purposes in the event of exposure to the virus.**
- **Maintain six feet between you and the next person in the meeting, at any given time**

**Instructions for providing public comments:** Persons interested in making their views known on any matter should send an email with their comments to the City Clerk at [bhanks@weldonspring.org](mailto:bhanks@weldonspring.org) no later than 6 p.m. on the day of the meeting. All comments received will be entered into the meeting minutes for public record and must include the person name and address. All comments will also be distributed to the entire Board at or before the meeting. Thank you for your understanding and patience as we all try to get through these unprecedented times.

**PAGE 1 OF 2**

This notice was posted at 5401 Independence Road on 7-9-20 at 6:55pm by [Signature]



**This Page Intentionally Left Blank**

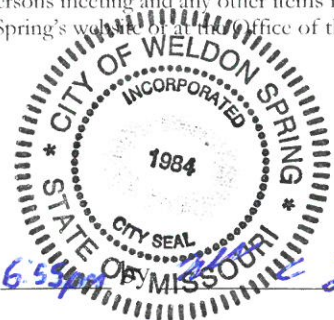
This notice was posted at 5401 Independence Road on \_\_\_\_\_ at \_\_\_\_\_ by \_\_\_\_\_.

\*\*\*\*AGENDA\*\*\*\*

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL and DETERMINATION OF A QUORUM**
4. **CITIZENS COMMENTS:**
  - A. John Wiemann, Missouri State Representative
5. **APPROVAL OF MINUTES**
  - A. June 25, 2020 – Regular Board Meeting Minutes
6. **CITY TREASURER**
  - A. Paid Bills (6-19-20 – 7-7-20)
7. **UNFINISHED BUSINESS**
  - A. Bill #1150 - An Ordinance of the City of Weldon Spring, Missouri, Enacting a New Chapter 260 of the Municipal Code of the City of Weldon Spring, Missouri; Providing for an Aquatic & Recreational Facilities Code; Designating a Regulatory Authority with Respect to Said Code; & Authorizing the Collection of Fees – **Alderman Baker**
  - B. Bill #1151 - An Ordinance of the City of Weldon Spring, Missouri, Authorizing an Agreement with St Charles County for Services Related to Inspection, Licensing, & Enforcement Under the Provision of the Aquatic & Recreational Facilities Code – **Alderman Martiszus**
8. **NEW BUSINESS**
  - A. An Ordinance Providing for the City’s Participation in the Missouri Local Government Employees Retirement System & Electing the Terms of Sugg Participation – **Alderman Clutter**
  - B. Liquor License Renewals – **City Clerk**
    - i. Cecil Whittaker’s Pizzeria
    - ii. QT
  - C. Wolfrum Trail Extension Rebid – **Alderman Clutter**
  - D. Summer 2020 Newsletter Approval – **City Administrator**
9. **REPORTS & COMMITTEES**
  - A. City Administrator
  - B. Planning & Zoning Commission
  - C. Finance Committee
  - D. Parks & Recreation Advisory Committee
10. **RECEIPTS & COMMUNICATIONS**
11. **ADJOURNMENT**

Copies of all ordinances proposed to be introduced for consideration by the Board of Alderpersons meeting and any other items included in the Board of Aldermen’s Board Packet are available for public inspection on the City of Weldon Spring’s website or at the Office of the City Clerk. The City Clerk can be contacted at bhanks@weldonspring.org or 636-441-2110.

PAGE 2 OF 2



This notice was posted at 5401 Independence Road on 7-9-20 at 6:55pm *[Signature]*

CITY OF WELDON SPRING  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
JUNE 25, 2020

**CALL TO ORDER:** The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday, June 25, 2020 at approximately 7:30 PM. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. Mayor Donald Licklider called the meeting to order.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

**ROLL CALL AND DETERMINATION OF QUORUM:** On a roll call, the following members were present:

|         |                  |                 |
|---------|------------------|-----------------|
| Ward 1: | Alderman Clutter | Alderman Yeager |
| Ward 2: | Alderman Schwaab | Alderman Kolb   |
| Ward 3: | Alderman Baker   |                 |

Alderman Martiszus was absent from the meeting. A quorum was declared.

**MINUTES:** June 9, 2020, Board Minutes - Alderman Clutter moved to approve the minutes from the June 9, 2020, regular meeting with one typographic correction, seconded by Alderman Baker. **Motion carried** with 5 ayes.

Note: Under the Playground Expansion topic, Alderman Baker wanted the word “mad” changed to “made.”

**PUBLIC COMMENTS:** Mayor Licklider asked anyone in the audience if they wish to speak during the meeting and no one raised their hand.

Bill Hanks (City Clerk) stated that Joe Hoette, A Trustee from the Camelot Homeowner Association, submitted an email to the City Clerk at 5:02 PM on June 25<sup>th</sup>, 2020. Mr. Hoette voiced his dissatisfaction in the message to the Board with the lack of progress on the close out process for the Independence Road Phase 4 project. Furthermore, Mr. Hoette indicated in his message that the residents are frustrated with the constant delays by the contactor on completing all the items on the punch list.

**TREASURER’S REPORT:** Alderman Clutter made a motion to accept the Treasurer’s packet of paid bills from June 3, 2020 to June 18, 2020 and the unpaid bills from June 10, 2020 to June 25, 2020, seconded by Alderman Schwaab. **Motion carried** with 5 ayes.

**OLD BUSINESS:**

**Independence Road Phase 4 Change Order #4 – Karrenbrock Construction:** Alderman Baker made a motion to approve the change order #4 for \$17,542.75 subject to Cochran Engineering and City Staff review and approval, seconded by Alderman Clutter. **Motion carried** with 5 ayes.

**Bill #1145 - An Ordinance Amending the Budget for FY 2020:** Alderman Clutter made a motion to approve Bill #1145 for its second and final reading by title only. Alderman Baker

seconded the motion. On a roll call vote, the Bill #1145 was placed as Ordinance 20-11 as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 - Martiszus

**Bill #1146 - An Ordinance Amending Ordinance #09-29 (Creating the Employee Policy Manual of the City of Weldon Spring, Missouri, by Repealing & Replacing Certain Sections of the Employee Policy Manual & Matters Relating Thereto:** Alderman Schwaab made a motion to approve Bill #1146 for its second and final reading by title only. Alderman Clutter seconded the motion. On a roll call vote, the Bill #1146 was placed as Ordinance 20-12 as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 – Martiszus

**Bill #1147 - An Ordinance Amending Chapter 201 of the Municipal Code of the City of Weldon Spring, Missouri, to Enact Regulations Regarding False Alarms Within the City:** Alderman Schwaab made a motion to approve Bill #1147 for its second and final reading by title only. Alderman Clutter seconded the motion. On a roll call vote, the Bill #1147 was placed as Ordinance 20-13 as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 – Martiszus

**NEW BUSINESS:**

**Certification of Election Results:** The election results from the June 2, 2020, Municipal Election are as follow:

Ward I

|              |     |
|--------------|-----|
| Andy Clutter | 176 |
| Write In     | 6   |

Ward II

|             |     |
|-------------|-----|
| Don Schwaab | 261 |
| Write In    | 20  |

Ward III

|                |     |
|----------------|-----|
| Phil Martiszus | 213 |
| Write In       | 3   |

Alderman Clutter made a motion to accept the certifications from the St. Charles County Election Board as submitted. Alderman Baker seconded the motion. **Motion carried** with 5 ayes.

**Oath of Office:** Mr. Bill Hanks (City Clerk) swore in Andy Clutter for a two-year term as Alderman for Ward I, and Don Schwaab for a two-year term as Alderman in Ward II.

**Board President Appointment:** Alderman Baker made a motion to nominate Alderman Schwaab as Board President, seconded by Alderman Clutter. **Motion carried** with 5 ayes.

**FY 2019 Audit & Financial Statements:** Alderman Baker made a motion to formally accept the findings from the FY 2019 Audit, seconded by Alderman Kolb. **Motion carried** with 5 ayes

**An Ordinance Approving the Final Plat for the Ehlmann Farms Addition:** Alderman Clutter moved to introduce Bill #1148 for its first reading by title only. Alderman Baker seconded the motion and the **motion carried**.

Alderman Yeager asked about the status of the trees in the right-of-way dedication area. After a brief discussion, Chris DeGuetz, the Vice President of Development & Construction of Fischer & Frichtel, agreed to be responsible for removing all the trees in the right-of-way dedication area and the Board agreed to provide relief for tree replacement.

Alderman Clutter made a motion to make an amendment to Bill #1148, which adds a section in the Ordinance that states, "*Fischer & Frichtel Custom Homes, LLC, is responsible for the removal of any and all trees in the right-of-way dedication area.*" Alderman Baker seconded the motion. On a roll call vote, the **motion passed** as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 – Martiszus

Alderman Clutter made a motion to approve Bill #1148 for its second and final reading by title only. Alderman Baker seconded the motion. On a roll call vote, the Bill #1148 was placed as Ordinance 20-14 as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 – Martiszus

**An Ordinance Providing for the Acceptance by the City of Weldon Spring, Missouri, the dedication of the Right-of-Way for the Use of the General Public of a Certain Tract of Ground Presently Owned by Fischer & Frichtel Custom Homes, LLC:** Alderman Yeager moved to introduce Bill #1149 for its first reading by title only, seconded by Alderman Clutter. The **motion carried**.

Alderman Yeager made a motion to approve Bill #1149 for its second and final reading by title only. Alderman Clutter seconded the motion. On a roll call vote, the Bill #1149 was placed as Ordinance 20-15 as followed:

AYES: 5 – Baker, Clutter, Kolb, Schwaab, and Yeager  
NOES: 0  
ABSENT: 1 – Martiszus

**An Ordinance of the City of Weldon Spring, Missouri, Enacting a New Chapter 260 of the Municipal Code of the City of Weldon Spring, Missouri; Providing for an Aquatic & Recreational Facilities Code; Designating a Regulatory Authority with Respect to Said Code; & Authorizing the Collection of Fees:** Alderman Baker moved to introduce Bill #1150 for its first reading by title only. Alderman Clutter seconded the motion and the **motion carried**.

Bill #1150 was tabled in accordance with City Code.

**An Ordinance of the City of Weldon Spring, Missouri, Authorizing an Agreement with St Charles County for Services Related to Inspection, Licensing, & Enforcement Under the Provision of the Aquatic & Recreational Facilities Code:** Alderman Baker moved to introduce Bill #1151 for its first reading by title only. Alderman Clutter seconded the motion and the **motion carried**.

Bill #1151 was tabled in accordance with City Code

**Liquor License Renewals:** Alderman Baker made motion to renew the liquor licenses for Circle K #1646, El Rancho Nuevo, Los 3 Compadres, Lutheran Senior Services at Breeze Park, Mad Dog & Cat's Restaurants, Persimmon Woods Golf Course, Walgreen #6059, and Whitmoor Country Club. The motion was seconded by Alderman Clutter. **Motion carried** with 5 ayes.

**Wolfrum Road Culvert Pipe Replacement Project Bid Results:** Alderman Baker moved to accept the low bid from Kolb Grading on the amount of \$50,693.68 for the Wolfrum Road Culvert Pipe replacement, seconded by Alderman Clutter. **Motion carried** with 4 ayes. Alderman Kolb abstained from voting.

#### **REPORTS AND COMMITTEES:**

**City Administrator Report:** Mr. Padella (City Administrator) summarize his report.

**Finance:** Alderman Clutter stated the Finance Committee will meet in July to start looking at the FY 2020 budget and discuss the City's 5-year plan.

**PRAC Committee:** Alderman Baker updated the Board on the playground expansion project. He also stated the Committee is looking at a temporary trail by the playground area in the City Park.

#### **ADJOURNMENT:**

Alderman Kolb moved to adjourn the meeting at 8:35 PM and Alderman Clutter seconded the motion. **Motion carried** with 5 ayes.

Respectfully submitted,

---

William C. Hanks  
City Clerk

**PAID BILLS TO BE APPROVED  
JUNE 19, 2020 -- JULY 7, 2020**

EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS  
14th DAY OF JULY 2020 \_\_\_\_\_, MAYOR



6/16/2020 Thru 7/7/2020 CLAIMS REPORT

| VENDOR                       | REFERENCE                        | AMOUNT       | CHECK #  | CHECK DATE |
|------------------------------|----------------------------------|--------------|----------|------------|
| ABCREATIVE                   | WS CITY PARK PHASE II PLAYGROUND | \$ 64,859.82 | 16222    | 6/19/2020  |
| AFLAC                        | MONTHLY INSURANCE PAID BY EMP    | \$ 66.40     | 11290673 | 7/1/2020   |
| ANTHEM LIFE                  | EMPLOYEE INS GROUP A37265        | \$ 92.50     | 11290660 | 6/16/2020  |
| BANKCARD SVCS - CENTRAL BANK | EMPLOYEE CREDIT CARD CHARGES     | \$ 889.00    | 11290677 | 6/23/2020  |
| BUILDING STARS               | HOUSEKEEPING                     | \$ 240.00    | 11290659 | 6/24/2020  |
| CDS OFFICE TECHNOLOGIES      | ANNUAL CONTRACT/COPIER           | \$ 1,188.03  | 11290668 | 7/1/2020   |
| CUIVRE RIVER ELECTRIC        | MONTHLY ELECTRIC                 | \$ 111.40    | 11290670 | 7/1/2020   |
| CUIVRE RIVER ELECTRIC        | MONTHLY ELECTRIC                 | \$ 166.92    | 11290671 | 7/1/2020   |
| CUIVRE RIVER ELECTRIC        | MONTHLY ELECTRIC                 | \$ 21.00     | 11290672 | 7/1/2020   |
| DELTA DENTAL OF MISSOURI     | EMPLOYEE DENTAL INS              | \$ 187.21    | 9041     | 6/23/2020  |
| DON LICKLIDER                | MILEAGE REIMB                    | \$ 56.35     | 16233    | 7/1/2020   |
| INCREDIBLE ENGRAVINGS        | NAME BADGE, 4 DESK PLATES        | \$ 55.16     | 9044     | 7/1/2020   |
| KEVIN CARROLL                | BRUSH HOGGING                    | \$ 300.00    | 16223    | 6/19/2020  |
| LASHLY & BAER, P.C.          | MUNI PROSECUTING ATTY            | \$ 292.50    | 9039     | 6/16/2020  |
| METROPARK COMMUNICATIONS     | TELEPHONE/INTERNET               | \$ 559.57    | 11290666 | 7/1/2020   |
| MICHAEL PADELLA              | EXPENSE REIMB                    | \$ 142.74    | 16234    | 7/1/2020   |
| MISSOURI DEPT OF REVENUE     | CRIME VICTIM                     | \$ 178.25    | 16218    | 6/16/2020  |
| MISSOURI LAWYERS MEDIA       | PUBLIC NOTICES                   | \$ 34.00     | 9038     | 6/16/2020  |
| MO DEPT OF PUBLIC SAFETY     | PO STANDARD & TRAIN FUND         | \$ 25.00     | 16219    | 6/16/2020  |
| PERSIMMON WOODS GOLF CLUB    | REFUND OF OVERPAYMENT-LIQUOR LIC | \$ 225.00    | 16224    | 6/23/2020  |
| REPUBLIC SERVICES            | TRASH SERVICE MAY 20             | \$ 96.40     | 9027     | 6/16/2020  |
| REPUBLIC SERVICES            | TRASH SERVICE JUNE 20            | \$ 96.40     | 9045     | 7/1/2020   |
| ROBERT WOHLER                | LEGAL FEES                       | \$ 535.00    | 9047     | 7/1/2020   |
| SHERIFF'S RETIREMENT SYSTEM  | COURT FEES                       | \$ 75.00     | 16220    | 6/16/2020  |
| SCC GOVT - FINANCE DEPT      | BLDG CODE ENFORCEMENT ANNUAL     | \$ 5,443.00  | 16217    | 6/16/2020  |
| SUE STEIGER                  | MILEAGE REIMB                    | \$ 47.20     | 16235    | 7/1/2020   |
| SURECUT SOLUTIONS            | ROW MOWING APR 2020              | \$ 1,890.00  | 9042     | 6/23/2020  |
| SURECUT SOLUTIONS            | ROW MOWING MAY 2020              | \$ 2,380.00  | 9043     | 6/24/2020  |
| UNITED HEALTHCARE            | EMPLOYEE HEALTH INS              | \$ 3,240.23  | 9040     | 6/23/2020  |
| VERIZON WIRELESS             | MONTHLY CELL                     | \$ 200.60    | 11290667 | 7/1/2020   |
| VERIZON WIRELESS             | CELL PHONE PARKS DEPT            | \$ 4.61      | 11290669 | 7/1/2020   |
| WHEELHOUSE SOLUTIONS         | NETWORK MANAGED IT               | \$ 735.34    | 9046     | 7/1/2020   |
| WHITMOOR COUNTRY CLUB        | REFUND OVERPAYMENT LIQUOR LIC    | \$ 75.00     | 16225    | 6/23/2020  |
| WILLIAM C HANKS              | MILEAGE REIMB                    | \$ 37.55     | 16236    | 7/1/2020   |

Accounts Payable Total \$ 84,547.18

\*\*\*\*\*

**AN ORDINANCE OF THE CITY OF WELDON SPRING, MISSOURI, ENACTING A NEW CHAPTER 260 OF THE MUNICIPAL CODE OF THE CITY OF WELDON SPRING, MISSOURI; PROVIDING FOR AN AQUATIC & RECREATION FACILITIES CODE; DESIGNATING A REGULATORY AUTHORITY WITH RESPECT TO SAID CODE; AND AUTHORIZING THE COLLECTION OF FEES**

\*\*\*\*\*

**WHEREAS**, St. Charles County adopted an Aquatics and Recreational Facilities Code applicable in unincorporated areas of the County and intended to establish and enforce standards for the operation of aquatic recreational facilities to protect health and safety; and

**WHEREAS**, the City of Weldon Spring wishes to cooperate with St. Charles County to extend protections of such Code to the establishments within the City to benefit residents and visitors in the City; and

**WHEREAS**, St. Charles County Government, through the Department of Community Health and the Environment, has agreed by a separate agreement, to provide inspection, licensing and enforcement services in the City in accordance with such Code; and

**WHEREAS**, as part of that Agreement, the County has required the City to enact the County’s Aquatic and Recreational Facilities Code as the aquatic and recreational facilities code for the City of Weldon Spring;

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

**SECTION 1:** That the Municipal Code of the City of Weldon Spring, Missouri, be and is hereby amended by enacting a new Chapter 260 to read as following:

**CHAPTER 260: AQUATIC & RECREATIONAL FACILITIES CODE**

Chapter 233 of the Ordinances of St. Charles County, Missouri, the St. Charles County Government Aquatic & Recreational Facilities Code, is incorporated herein by reference and adopted as the City of Weldon Spring, Missouri, Aquatic and Recreational Facilities Code. A copy of said Code shall be on file with City Clerk.

**SECTION 2:** The Board of Aldermen hereby designates St. Charles County, specifically the St. Charles County Department of Community Health and the Environment or its authorized representative as the regulatory authority with regard to the City’s Aquatic and Recreational Facilities Code for so long as the City and County have in place an agreement whereby the County provides inspection, licensing, and enforcement services in accordance with the Code. Whenever the term “Department” appears in the Code that term shall mean St. Charles County Department of Community Health and the Environment.

**SECTION 3:** The Board of Aldermen hereby authorizes St. Charles County to collect reasonable fees as part of its regulatory and enforcement authority with regard to the Code for so long as the

City and County have an agreement in place providing for such regulatory and enforcement authority.

**SECTION 4: Severability.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

**SECTION 5: Effective Date.** This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_ DAY OF \_\_\_\_\_ 2020.*

---

Donald D. Licklider, Mayor

Attest:

---

William C. Hanks, City Clerk

To approve Bill

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

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

|           | <u>Aye</u> | <u>Nay</u> | <u>Abstention</u> |
|-----------|------------|------------|-------------------|
| Baker     | ___        | ___        | ___               |
| Clutter   | ___        | ___        | ___               |
| Kolb      | ___        | ___        | ___               |
| Martiszus | ___        | ___        | ___               |
| Schwaab   | ___        | ___        | ___               |
| Yeager    | ___        | ___        | ___               |
| Licklider | ___        | ___        | ___               |

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



DIVISION OF ENVIRONMENTAL HEALTH AND PROTECTION

**AQUATIC PROGRAM**

|                                 |            |
|---------------------------------|------------|
| PLAN REVIEW.....                | \$ 100     |
| CENTER W/ONE .....              | \$ 150     |
| QUALIFYING LICENSE.....         | \$ 75      |
| CENTER WITH MULTIPLE UNITS..... | \$ 225     |
| LICENSE RENEWAL LATE FEE.....   | \$50/MONTH |
| FOLLOW-UP FEE.....              | \$ 35      |
| CODE BOOK.....                  | \$ 5       |

**TANNING CENTER PROGRAM**

|                               |            |
|-------------------------------|------------|
| LICENSE.....                  | \$ 75      |
| LICENSE RENEWAL LATE FEE..... | \$50/MONTH |
| FOLLOW-UP FEE.....            | \$ 35      |

**FITNESS CENTER PROGRAM**

|                               |            |
|-------------------------------|------------|
| LICENSE.....                  | \$ 75      |
| LICENSE RENEWAL LATE FEE..... | \$50/MONTH |
| FOLLOW-UP FEE.....            | \$ 35      |

\*\*\*\*\*

**AN ORDINANCE OF THE CITY OF WELDON SPRING, MISSOURI, AUTHORIZING AND AGREEMENT WITH ST. CHARLES COUNTY FOR SERVICES RELATED TO INSPECTION, LICENSING AND ENFORCEMENT UNDER THE PROVISIONS OF THE AQUATIC AND RECREATIONAL FACILITIES CODE**

\*\*\*\*\*

**WHEREAS**, St. Charles County adopted an Aquatics and Recreational Facilities Code applicable in unincorporated areas of the County and intended to establish and enforce standards for the operation of aquatic recreational facilities to protect health and safety; and

**WHEREAS**, the City of Weldon Spring wishes to cooperate with St. Charles County to extend protections of such Code to the establishments within the City to benefit residents and visitors in the City; and

**WHEREAS**, St. Charles County Government, through the Department of Community Health and the Environment, has agreed to provide inspection, licensing and enforcement services in the City in accordance with such Code; and

**WHEREAS**, City has enacted the County’s Aquatic and Recreational Facilities Code as the aquatic and recreational facilities code for the City of Weldon Spring; and

**WHEREAS**, the Board of Aldermen desires to enter into an agreement with St. Charles County for services related to inspection, licensing and enforcement under the provisions of the Aquatic and Recreational Facilities Code; and

**WHEREAS**, Section 70.220, RSMo., authorizes intergovernmental agreements between political subdivisions for the purposes herein set out;

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

**SECTION 1:** That the form, terms, and provisions of the Aquatic and Recreational Facilities Agreement attached hereto, marked as **Exhibit A**, and incorporated by reference herein, be and they hereby are in all respects approved, and the Mayor is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Aquatic and Recreational Facilities Agreement in substantially the form attached hereto.

**SECTION 2. Severability.** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

**SECTION 3. Effective Date.** This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_ DAY OF \_\_\_\_\_ 2020.*

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

Attest:

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

To approve Bill

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

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

|           | <u>Aye</u> | <u>Nay</u> | <u>Abstention</u> |
|-----------|------------|------------|-------------------|
| Baker     | ___        | ___        | ___               |
| Clutter   | ___        | ___        | ___               |
| Kolb      | ___        | ___        | ___               |
| Martiszus | ___        | ___        | ___               |
| Schwaab   | ___        | ___        | ___               |
| Yeager    | ___        | ___        | ___               |
| Licklider | ___        | ___        | ___               |

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

## **AQUATIC AND RECREATIONAL FACILITIES INSPECTION AGREEMENT**

This Agreement made by and between ST. CHARLES COUNTY, MISSOURI, (hereinafter “County”) and the City of Weldon Spring, a political subdivision within St. Charles County (hereinafter “Municipality”), pursuant to Section 70.220 RSMo., to provide for inspections and enforcement under the Aquatic and Recreational Facilities Code, Chapter 233, Ordinances of St. Charles County, Missouri (“OSCCMo”), as currently enacted or as amended hereafter, is subject to the following terms and conditions:

### **ARTICLE I - GENERAL TERMS**

#### **A. The County shall:**

1. Collect all fees paid by aquatic centers and recreational facilities pursuant to the Aquatic and Recreational Facilities Code, Chapter 233, OSCCMo;
2. Furnish to the Municipality a copy of the Aquatic and Recreational Facilities Code;
3. Provide the Municipality with a monthly summary of results of inspections of aquatic centers and recreational facilities on request;
4. Issue to the aquatic centers and recreational facilities located within the Municipality any final notices or notices of violation of the Aquatic and Recreational Facilities Code;
5. Provide the Municipality with a copy of all legal notices sent to aquatic centers and recreational facilities within the Municipality;
6. Review all building plans for proposed new aquatic centers and recreational facilities within the Municipality prior to construction;
7. Work with the Municipality for enforcement of the Aquatic and Recreational Facilities Code.

#### **B. The Municipality shall:**

1. Provide the County with information of all proposed new aquatic centers and recreational facilities to open in the Municipality within ten days of notice to the Municipality of the proposed establishment;
2. Certify to the County legislative acts adopting the Aquatic and Recreational Facilities Code, Chapter 233, OSCCMo, as currently enacted and as amended hereafter, including all fee provisions therein, and authorizing the County to collect the fees imposed by that Code.

**ARTICLE II - LIMITATIONS**

The contract hereby given is not assignable and is to be exercised solely by the County and the Municipality as provided herein.

The Municipality shall comply with all applicable laws, ordinances, rules, regulations and requirements now in force or enacted in the future.

**ARTICLE III - LIABILITY**

The Municipality shall indemnify, protect and hold harmless the County from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit or judgment for damages to property or injury to or death of persons, including the officers, agents and employees of either party herein, and including payment under any workmen's compensation law, or under any plan for employee's disability or death benefit, which may arise out of or be caused in whole or in part by the fault, failure, negligence or alleged negligence of the Municipality, its agents, servants or employees in performing its obligations under this contract.

The County shall indemnify, protect and hold harmless the Municipality from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit or judgment for damages to property or injury to or death of persons, including the officers, agents and employees of either party herein, and including payment under any workmen's compensation law, or under any plan for employee's disability or death benefit, which may arise out of or be caused in whole or in part by the fault, failure, negligence or alleged negligence of the County, its agents, servants or employees in performing its obligations under this contract.

**ARTICLE IV - COMPENSATION**

In consideration of St. Charles County providing the services under this contract, the parties agree that the County shall retain one hundred percent (100%) of all fees collected from aquatic centers and recreational facilities located in the political subdivision.

**ARTICLE V - TERMINATION**

- A. This Agreement terminates on December 31, 2021. This Agreement shall automatically be renewed unless either party gives written notice on or before December 1 of each year.
- B. This Agreement may be terminated by either party hereto at any time, by giving forty five (45) days prior written notice to the other party at the address shown on the signature page.



IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the County this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Executed by \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ST. CHARLES COUNTY, MISSOURI  
100 North Third Street, Suite 318  
St. Charles, Missouri 63301

\_\_\_\_\_

Mayor

\_\_\_\_\_

County Executive

ATTEST:

ATTEST:

\_\_\_\_\_

(Political Subdivision) Clerk

\_\_\_\_\_

Brenda Hinton, County Registrar

\*\*\*\*\*  
**AN ORDINANCE PROVIDING FOR THE CITY’S PARTICIPATION IN THE  
MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM  
AND ELECTING THE TERMS OF SUCH PARTICIPATION**  
\*\*\*\*\*

**WHEREAS**, The Board of Aldermen of the City of Weldon Spring desires to provide retirement benefits for its eligible employees under the Missouri Local Government Employees Retirement System (LAGERS), pursuant to the provisions of sections 70.600 through 70.755, RSMo.; and has complied with the notice and filing requirements of section 105.675 RSMo; and

**WHEREAS**, employees of the City of Weldon Spring participate in the federal Social Security program; and

**WHEREAS**, a “political subdivision,” as defined in sections 70.600 through 70.755, RSMo., may elect to become a participating political subdivision of the Missouri Local Government Employees Retirement System, and to thereby provide retirement benefits to its eligible employees under that system; and

**WHEREAS**, the City of Weldon Spring is such a “political subdivision”.

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

**SECTION 1:** The City of Weldon Spring hereby elects to become a participating political subdivision of the Missouri Local Government Employees Retirement System, and to thereby provide retirement benefits to all its eligible **General Employees under Benefit Program L-7.**

**SECTION 2:** The Board of Aldermen hereby elects that **50% of prior employment** be considered for “prior service credit” in calculating benefits and contributions to LAGERS and further elects that employees eligible to become members of LAGERS are those employees employed in positions normally requiring **1500 hours of work a year**, provided such employees are not members of another governmental retirement plan, or are otherwise excluded from membership in LAGERS by state law.

**SECTION 3:** The Board of Aldermen hereby elects to have the “final average salary” of its employee members determined over a **60 consecutive-month** period.

**SECTION 4:** The Board of Aldermen hereby elects to require employees who become members of LAGERS to pay **4% of their gross salary and wages** as employee contributions to LAGERS.

**SECTION 5:** The Board of Aldermen hereby elects the regular retirement age for all eligible employees, which is 60 years old for general employees.

**SECTION 6:** The City Treasurer is hereby authorized and directed to deduct from the wages or salaries of each employee member, the employee contributions, if any, required by Section 70.705, RSMo, and to promptly remit such contributions to LAGERS, along with the employer contributions required by sections 70.705, 70.730, and 70.735 RSMo.

**SECTION 7:** The Board hereby acknowledges that there is no statutory provision for a participating political subdivision to terminate its membership under LAGERS.

**SECTION 8:** This Ordinance shall be in full force and effect from and after the date of its passage and approval. However, the City of Weldon Spring’s participation as a LAGERS political subdivision will commence on the **first day of August, 2020.**

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2020.*

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

Attest:

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

To approve Bill

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

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

|           | <u>Aye</u> | <u>Nay</u> | <u>Abstention</u> |
|-----------|------------|------------|-------------------|
| Baker     | ___        | ___        | ___               |
| Clutter   | ___        | ___        | ___               |
| Kolb      | ___        | ___        | ___               |
| Martiszus | ___        | ___        | ___               |
| Schwaab   | ___        | ___        | ___               |
| Yeager    | ___        | ___        | ___               |
| Licklider | ___        | ___        | ___               |

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



# CITY OF WELDON SPRING

5401 Independence Road  
Weldon Spring, MO 63304  
phone: (636) 441-2110  
fax: (636) 441-8495  
[www.weldonspring.org](http://www.weldonspring.org)

## MEMORANDUM

To: Board of Aldermen Date: 7/9/20  
From: William C. Hanks, City Clerk  
Subject: Retirement Programs Available to Public Sector Entities  
CC: Michael Padella, City Administrator

In 2019, the City of Weldon Spring conducted a survey for their employees about fringe benefits. The survey reveals that the majority of employees believe that a strong retirement program and health insurance benefits are the most important benefits an employer can offer.

There are basically two overall types of retirement program structures: a defined benefit plan and a defined contribution plan. The benefits from a defined benefit plan are “defined because they pay a pre-determined amount for a person’s remaining life after work. A defined contribution plan is one where the retirement benefit is not known ahead of time. Rather, the employee and possibly the employer make contributions into an account for the employee. This account is invested in the markets with the individual employees choosing their preferred investment strategy.

There are many different types of defined contribution plans and the main difference is how the plan is categorized in the United States Internal Revenue Service Tax Codes. Some examples of defined contribution plans for the public sector are 401(A), 457(B), and 403(B). It is important to note that the 1986 Tax Reform Act prohibits public-serving employers from providing 401(K) plans. Any defined contribution plans create a level of uncertainty on the part of the employee.

Currently, the City of Weldon Spring offers employees to participate in a Simple IRA, which is an example of defined contribution plan. Franklin Templeton Investments is the custodian of the Simple IRA Plan.

### Simple IRA Pros:

- Employee has option to participate or not
- Requires minimal administrative management
- Lower setup and maintenance cost
- Participants may be allowed to choose investment strategy

### Simple IRA Cons:

- Overall limited program options and flexibility
- No Roth IRA options
- Low employer match limit (maximum match is 3%)
- 25% penalty on distributions made before age 59½ and within the first two years of participation in the plan.
- No loans allowed
- Employer cannot offer any other type of retirement program

### 457(B) Plan Pros:

- No 10% tax penalty for early withdrawals
- Double limit catch up

### 457(B) Plan Cons:

- Less flexibility (Not transferable to and from the private sector)
- A non-qualified retirement plan (less protection)
- Need to hire a third-party administrator to be the custodian for the plan because Franklin Templeton does not handle these types of plans or the City current Financial Advisor

A Simple IRA provides more flexibility than a 457(B) plan. Furthermore, a 457(B) plan is more expensive to startup and ongoing administration fees are much higher because the City must hire a third-party administrator for the plan. However, an estimate cannot be obtained without going through the interview process. Regardless, all defined contribution plans are very similar in nature. The employee is responsible for the administrative costs of the plan. In defined contribution plans, the retirement funds are not guaranteed to the employee and disability and survivor benefits are not available. Another defined contribution plan considered was the 403(B) plan, which the pros and cons to the plan is shown below.

### 403(B) Plan Pros:

- Shorter Vesting Schedule
- Could create tax breaks for the employee
- Flexibility in terms of contributions

### 403(B) Plan Cons:

- Limitations in investing options
- Some plans are not protected by the Employee Retirement Act (less protection)
- Could face penalties if the employee contributes too much to the account

- Designate beneficiary restrictions
- Subject to penalties for early withdrawal

The City of Weldon Spring is the only municipality in St. Charles County with full time staff that is not a member of the Missouri Local Government Employees Retirement System (LAGERS). Furthermore, 316 Missouri municipalities are members of Missouri LAGERS LAGERS is highly respected by many public sector employees as one of the premier defined benefit plans in the nation. The City of Weldon Spring currently budgeted \$11,600 per year to administrate the Simple IRA. In the past year, the Finance Committee has done their due diligence on this topic and has made their recommendations to the Board for their review and final decision. Based off the recommendations from the Finance Committee, the cost for LAGERS would be between \$24,000 and \$27,000 per year to pay 50% of prior service for our employees. By implementing LAGERS, the City of Weldon Spring can be competitive in attracting and retaining experience professionals in the future.

Attached, please find a spreadsheet that lists some other municipalities (based on population and enrollment) from St. Charles County and other surrounding counties that are members within Missouri LAGERS.

## Various LAGERS Members Within the Surrounding Counties

|   | 2018 Population | Number of Employees<br>(Active Members) | Joined Lagers |
|---|-----------------|---|---------------|
| <b>Franklin County</b>  |                 |   |               |
| City of Gerald  | 1,317           | 8                                       | 2003          |
| Village of Oak Grove  | 501             | 2                                       | 2014          |
| Village of Parkway Village  | 8,182           | 1                                       | 2012          |
| <b>NOTE:</b> In Franklin County, 8 municipalities are members of LAGERS and there are 15 overall entities that are members of LAGERS    |                 |   |               |
|   | 2018 Population | Number of Employees<br>(Active Members) | Joined Lagers |
| <b>Lincoln County</b>   |                 |   |               |
| City of Elsberry  | 2,053           | 5                                       | 1998          |
| City of Winfield  | 1,508           | 4                                       | 2020          |
| City of Moscow Mills  | 3,201           | 15                                      | 2018          |
| <b>NOTE:</b> In Lincoln County, 4 municipalities are members of LAGERS and there are 7 overall entities that are members of LAGERS      |                 |   |               |
|   | 2018 Population | Number of Employees<br>(Active Members) | Joined Lagers |
| <b>St. Charles County</b>   |                 |   |               |
| City of Cottleville   | 5,446           | 17                                      | 2010          |
| City of Dardenne Prairie  | 13,360          | 7                                       | 2006          |
| City of Forstell  | 582             | 11                                      | 203           |
| <b>NOTE:</b> In St. Charles County, 8 municipalities are members of LAGERS and there are 14 overall entities that are members of LAGERS |                 |   |               |
|   | 2018 Population | Number of Employees<br>(Active Members) | Joined Lagers |
| <b>St Louis County</b>  |                 |   |               |
| City of Beverly Hills   | 556             | 5                                       | 1991          |
| City of Cool Valley   | 1,760           | 9                                       | 1972          |
| City of Dellwood  | 4,898           | 13                                      | 1975          |
| City of Edmundson   | 830             | 12                                      | 2012          |
| City of Winchester  | 1,319           | 3                                       | 1982          |
| <b>NOTE:</b> In St. Louis County, 43 municipalities are members of LAGERS and there are 51 overall entities that are members of LAGERS  |                 |   |               |
|   | 2018 Population | Number of Employees<br>(Active Members) | Joined Lagers |
| <b>Warren County</b>  |                 |   |               |
| City of Wright City   | 3,937           | 21                                      | 2014          |
| <b>NOTE:</b> In Warren County, 2 municipalities are members of LAGERS and there are 6 overall entities that are members of LAGERS       |                 |   |               |

1. Weldon Spring is not competitive with the other St. Charles Local Political Subdivisions in regard to retirement. By remaining uncompetitive in retirement, the City of Weldon Spring will have difficulty attracting and retaining quality employees.
  - A. Other LAGERS members in St. Charles County are Cottleville, Dardenne Prairie, Duckett Creek Sanitary District, Foristell, Lake. St. Louis, New Melle Fire Protection District, O'Fallon, St. Charles, St. Charles City-County Library, St Charles Co. Dev Handicapped. St Charles County, St Charles County SWCD, St. Peters, and Wentzville
2. LAGERS was created by Missouri State Statute in 1967 (Revised Statutes 70.600 to 70.755). LAGERS have the ability compel cities to make the required payments for the pension plan.
3. LAGERS is legally separate and fiscally independent of the State of Missouri; therefore, LAGERS is not subjected to political pressure. However, LAGERS does have government oversight. For example, the Missouri State Auditor has the authority to audit MO LAGERS anytime. The last state audit was in 2015.
4. LAGERS have an external audit every year and must report their findings to the state.
5. Currently, the City of Weldon Spring has a simple IRA, which is a defined contribution plan. These types of plans lead to a level of uncertainty on the part of the employee because it changes with the different market swings and based on account balances. The employee could lose or run out of their retirement savings.
6. City Employees have not seen the current broker for several months and there is a lack of response time and communication between the broker and employees.
7. LAGERS offer predictability and stability in a transparent process.
8. LAGERS offered disability and survivor benefits while the Simple IRA and 457(b) Plans does not.
9. Other plans were considered in the early stages in this yearlong project; however, the options fell out of consideration for various reasons.



\*\*\*\*\*

**AN ORDINANCE PROVIDING FOR THE CITY’S PARTICIPATION IN THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM AND ELECTING THE TERMS OF SUCH PARTICIPATION**

\*\*\*\*\*

**WHEREAS**, The Board of Aldermen of the City of Weldon Spring desires to provide retirement benefits for its eligible employees under the Missouri Local Government Employees Retirement System (LAGERS), pursuant to the provisions of sections 70.600 through 70.755, RSMo.; and has complied with the notice and filing requirements of section 105.675 RSMo; and

**WHEREAS**, employees of the City of Weldon Spring participate in the federal Social Security program; and

**WHEREAS**, a “political subdivision,” as defined in sections 70.600 through 70.755, RSMo., may elect to become a participating political subdivision of the Missouri Local Government Employees Retirement System, and to thereby provide retirement benefits to its eligible employees under that system; and

**WHEREAS**, the City of Weldon Spring is such a “political subdivision”.

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

**SECTION 1:** The City of Weldon Spring hereby elects to become a participating political subdivision of the Missouri Local Government Employees Retirement System, and to thereby provide retirement benefits to all its eligible **General Employees under Benefit Program L-7.**

**SECTION 2:** The Board of Aldermen hereby elects that **50% of prior employment** be considered for “prior service credit” in calculating benefits and contributions to LAGERS and further elects that employees eligible to become members of LAGERS are those employees employed in positions normally requiring **1500 hours of work a year**, provided such employees are not members of another governmental retirement plan, or are otherwise excluded from membership in LAGERS by state law.

**SECTION 3:** The Board of Aldermen hereby elects to have the “final average salary” of its employee members determined over a **60 consecutive-month** period.

**SECTION 4:** The Board of Aldermen hereby elects to require employees who become members of LAGERS to pay **4% of their gross salary and wages** as employee contributions to LAGERS.

**SECTION 5:** The Board of Aldermen hereby elects the regular retirement age for all eligible employees, which is 60 years old for general employees.

**SECTION 6:** The City Treasurer is hereby authorized and directed to deduct from the wages or salaries of each employee member, the employee contributions, if any, required by Section 70.705, RSMo, and to promptly remit such contributions to LAGERS, along with the employer contributions required by sections 70.705, 70.730, and 70.735 RSMo.

**SECTION 7:** The Board hereby acknowledges that there is no statutory provision for a participating political subdivision to terminate its membership under LAGERS.

**SECTION 8:** This Ordinance shall be in full force and effect from and after the date of its passage and approval. However, the City of Weldon Spring’s participation as a LAGERS political subdivision will commence on the **first day of August, 2020.**

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2020.*

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

Attest:

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

To approve Bill

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

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

|           | <u>Aye</u> | <u>Nay</u> | <u>Abstention</u> |
|-----------|------------|------------|-------------------|
| Baker     | ___        | ___        | ___               |
| Clutter   | ___        | ___        | ___               |
| Kolb      | ___        | ___        | ___               |
| Martiszus | ___        | ___        | ___               |
| Schwaab   | ___        | ___        | ___               |
| Yeager    | ___        | ___        | ___               |
| Licklider | ___        | ___        | ___               |

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