

### CITY OF WELDON SPRING **BOARD OF ALDERMEN MEETING** ON TUESDAY, JUNE 11, 2019, AT 7:30 P.M. WELDON SPRING CITY HALL 5401 INDEPENDCE ROAD **WELDON SPRING, MISSOURI 63304**

### \*\*\*\*AGENDA\*\*\*\*

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL and DETERMINATION OF A QUORUM
- 4. APPROVAL OF MINUTES
  - A. Amended Minutes (4-25-19 Board Meeting)
  - B. 5-23-19 Board Meeting
- 5. CITIZENS COMMENTS:
  - A. Pat Kelly, Municipal League of Metro St. Louis
- 6. PUBLIC HEARING:
- 7. CITY TREASURER: Paid Bills (5-15-19 6-4-19) & Unpaid Bills (5-24-19 6-11-
- 8. OLD BUSINESS:
  - A. Bill #1122 An Ordinance Providing for the Reasonable Regulation of Medical Marijuana within the City of Weldon Spring in Order to Protect the Public Health, Safety, and Welfare, and Matters Relating Thereto (Alderman Hillmer) - Tabled from the 4/25/19 Board Meeting
  - B. Bill #1123 An Ordinance Approving the Recommended Major Site Plan for the Clarifier Manufacturing Building at 820 O'Fallon Road and Other Matters Relating Thereto - (Alderman Schwaab)
  - C. Bill #1126 An Ordinance Repealing Section 605.030 (Ordinance #94-38), Known as Solicitation of Private Residences, in its Entirely and enacting in its Place a New Section 605.030 and Matter Relating Thereto (Alderman Clutter)
- 9. NEW BUSINESS:
  - A. 94 Bait Shop Conditional Use Permit (Consideration/Decision Needed)
  - B. Nancy Lane Direction (Discussion/Consideration)
  - C. Fireworks Seasonal Retail Sales (Discussion/Consideration)
  - D. Summer Newsletter (Consideration)
  - E. Liquor License Renewals (Motion)
    - 1. Circle K #1646
    - 2. Walgreens #6058
    - 3. Whitmoor Country Club
    - 4. Mad Dog & Cat's Restaurant

### 10. REPORTS & COMMITTEES:

- A. City Administrator
- B. City Attorney
- C. Planning & Zoning Commission
- D. Finance Committee

- E. C.E.R.T. Report
- F. Parks & Recreation
- G. City Priorities Update (Alderman Clutter)
- 11. RECEIPTS & COMMUNICATIONS
- 12. WORK SESSION:
- 13. CLOSED SESSION: In Accordance with RSMo <u>Section 610.021</u>, the Board of Aldermen may go into Closed Session during this meeting to discuss matters of Litigation, Legal Actions, and/or Communications from the City Attorney as provided under <u>Section 610.021(1)</u>, and/or Personnel under <u>Section 610.021(3)</u>, and/or Real Estate under Section 610.021(2).
- 14. ADJOURNMENT

AN ORDINANCE REPEALING SECTION 605.030 (ORDINANCE #94-38), KNOWN AS SOLICITATION OF PRIVATE RESIDENCES, IN ITS ENTIRELY AND ENACTING IN ITS PLACE A NEW SECTION 605.030 AND MATTERS RELATING THERETO

### CITY OF WELDON SPRING REGULAR MEETING OF THE BOARD OF ALDERMEN APRIL 25, 2019

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday, April 25, 2019 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 Hillmer Ward 2: Alderman Schwaab Alderman Kolb

Ward 3: Alderman Martiszus

Alderman Baker was absent. A quorum was declared.

MINUTES: April 25, 2019 Board Minutes - Alderman Clutter moved to approve the minutes from the April 9, 2019 regular meeting with a couple minor grammatical corrections. Alderman Schwaab seconded the motion. Motion carried with 4 ayes. Alderman Hillmer abstained.

**PUBLIC COMMENTS:** There was no public comments at this time.

PUBLIC HEARING: There was no public hearing scheduled.

**TREASURER'S REPORT:** Alderman Clutter made a motion to accept the Treasurer's packet of paid bills from April 3, 2019, to April 16, 2019, the unpaid bills from April 10, 2019, to April 25, 2019, and the Budget Report. Alderman Hillmer seconded. **Motion carried** with 5 ayes.

Alderman Clutter made a motion to approve the 6-Month Financial Statement for receipts and disbursement as submitted for publication, seconded by Alderman Hillmer. **Motion** carried with 5 ayes

### **OLD BUSINESS:**

An Ordinance Adopting & Enacting A New Code of Ordinance of the City of Weldon Spring (Alderman Schwaab): Alderman Schwaab move to read Bill # 1121 for its seconded reading and final time, seconded by Alderman Clutter. On a roll call vote, the Bill #1121 was placed as Ordinance 19-06 as followed:

AYES: 5 - Schwaab, Clutter, Hillmer, Kolb, and Martiszus

NOES: 0

Marior

ABSENT: 1 - Baker

Independence Road (Phase 4) Supplemental Agreement: This topic was tabled.

### **NEW BUSINESS:**

Certification of Election Results: The election results from the April 2, 2019, Municipal Election are as follow:

Mayor	
Donald D. Licklider	304
Ward I	
William "Bill" Hillmer Bruce J. Robb	77 65
Ward II	
Janet Kolb Vic Conlin	129 2
Ward III	
Gerry Baker	67

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

Oath of Office: Mr. Bill Hanks (City Clerk) swore Don Licklider in for a two-year term as Mayor, Janet Kolb in for a two-year term as Alderman for Ward II, and Bill Hillmer for a two-year term as Alderman in Ward I

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

Medical Marijuana Regulation Ordinance: Alderman Hillmer made a motion to introduce Bill # 1122 for its first reading and Alderman Schwaab seconded the motion.

Alderman Hillmer read Bill #1122 by title only.

A brief discussion took place.

Bill # 1122 was tabled in accordance with City Code.

Firework Stand Approval: Alderman Schwaab moved to approve the following firework stands: David Shaiper Fireworks LLC at the Wolfrum Crossing Shopping Center; Hale Fireworks LLC at Independence Road, adjacent to the Dairy Queen; Meramec Specialty Co. at Highway 94 and Siedentop Road and also at Technology Drive, south of Meadows Parkway and Powder Monkey at 5130 Westwood at Cornerstone Crossing. Alderman Martiszus seconded the motion. Motion carried with 4 ayes. Alderman Clutter voted no.

Playground Equipment Demolition Bid: Alderman Kolb made a motion to accept the bid submitted by Karrenbrock Excavating, LLC, for \$3,970.00, seconded by Alderman Clutter. Motion carried with 5 ayes.

Achieving Software: This topic was tabled for a meeting at a later date because of some technology issues.

General Codes Supplemental Quote: Alderman Clutter made a motion to approve the quote from General Code for a City Code supplement of Chapter 400, which was passed in December 2018, seconded by Alderman Schwaab. Motion carried with 5 ayes.

### **REPORTS AND COMMITTEES:**

City Administrator: Alderman Clutter made a motion to approve the purchase of two signs, not to exceed \$1,400.00, for City Hall, seconded by Alderman Martiszus. **Motion carried** with 5 ayes.

Mr. Padella (City Administrator) briefed the Board that the City has recently experienced problems with the network server. Mr. Padella presented a quote from the current City's IT consultant (CDS Office Technologies) to replace the network server. A brief discussion took place. The decision is to have the City go through the former bid process to replace the network server. Also, the staff received direction to review their IT services.

City Attorney: There was no report.

Planning and Zoning Commission: The next Planning and Zoning meeting is scheduled for 7:30 P.M. May 6<sup>th</sup>, 2010.

**Finance Committee:** Alderman Clutter stated the next meeting is tentatively scheduled for May 8, 2019.

**CERT Committee:** Alderman Schwaab stated the CERT trailer was finally picked up. Also, he made mention of the Kids' Fishing Day event in June.

PRAC Committee: There was no report

Mayor Licklider gave a brief update on the Independence Road Phase 4 Project.

### **RECEIPTS & COMMUNICATIONS:**

Alderman Schwaab: He talked about achieving software, known as Laserfiche. He stated that he provided a summary for the Board, which will be distributed by the City Clerk, regarding his visit to a neighboring municipality to learn more about the Laserfiche software.

Alderman Martiszus: He stated he attended a Chapter One Subdivision Board meeting and he encouraged everyone (at that subdivision meeting) to participate in local government at that meeting.

After a brief discussion between the elected officials, it was decided that the City will begin including the City's website address on City's business cards.

**Alderman Hillmer:** He stated some residents in the Manor of Lucerne subdivision are concerned about the irrigation system with the new proposed walking trail along Sammelman Road.

Alderman Kolb: She stated she recently attended some diversity meetings with Missouri Department of Transportation and Metropolitan Sewer District. A brief discussion took place.

Alderman Clutter mentioned the Whitmoor Homeowner Association has a meeting scheduled for 7:00 P.M on April 30, 2019, at City Hall.

### **WORK SESSION:**

There was no Work Session scheduled.

### **CLOSED SESSION:**

There was no closed session called at this meeting.

### **ADJOURNMENT:**

Alderman Kolb moved to adjourn the meeting at 8:33 PM and Alderman Clutter seconded the motion. **Motion carried** with 5 ayes.

Respectfully submitted,

William C. Hanks City Clerk

### CITY OF WELDON SPRING REGULAR MEETING OF THE BOARD OF ALDERMEN MAY 23, 2019

**CALL TO ORDER**: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, May 23, 2019 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 acited.

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

Ward 1:	Alderman Clutter	Alderia Hillmer
Ward 2:	Alderman Schwank	Aldermari
Ward 3:	Alderman Baker	Alderman Maiszus

A quorum was declared.

MINUTES: May 14, 2019 Board Minutes - Alderman School ab moved to approve the minutes with two minor clerical errors from the May 14, 2019 regular meeting. Alderman Clutter seconded the motion. Metion carried with 5 ayes. Alderman Baker abstained from voting.

### PUBLIC COMMENTS:

John Missouri State Representative: He gave an overview on the 2019 String Legislative Session. His main topics included the \$50 million tax break for General Motors expension, the very conservative abortion bill, and authorization of \$301 million in bonds for infrastructure. Also, he talked about his proposal for a municipal overnment expenditure database.

Chris Sander, Monkey Fireworks: With the Fourth of July being on a Wednesday, he is asking the Board to review the closing date for the sale of fireworks. Mr. Sander cited other municipalities' dates for firework sales.

Jared Mora, Edward Jones: Mr. Mora is a local business owner that has concerns with the proposed changes to the Solicitation of Private Residences (Section 605.030) in the City Code.

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

TREASURER'S REPORT: Alderman Clutter made a motion to accept the Treasurer's packet of paid bills from May 8, 2019, to May 15, 2019, and the unpaid bills from May 15, 2019, to May 23, 2019. Alderman Martiszus seconded. Motion carried with 6 ayes.

### **OLD BUSINESS:**

An Ordinance on Medical Marijuana Regulations: Alderman Hillmer stated that the agenda is wrong, and Bill Number #1122 was assigned to this bill.

Alderman Hillmer made a motion to take Bill #1122 off the table and open the floor for discussion, seconded by Alderman Baker. **Motion carried** with 6 ayes.

Alderman Baker stated the City needs more input from other municipalities to help mold this Bill #1122. Alderman Baker believes that marijuana facilities should be allow in the General Commercial (GC) Zoning District under a special use permit. Furthermore, he thinks Chapter 400 of the City Code should include medical regional to specify the type of use in the City's zoning districts. A brief discussion about medical marijuana, CBD, and Kratom took place.

Alderman Hillmer made a motion to tabled Bill #1122, seconded by Alderman Baker. Motion carried with 6 ayes

An Ordinance Approving the Recommended Site Plan by the Weldon Spring, Missouri, Planning & Zoning Commission for Claudier Manufacturing Building: Alderman Schwaab made a motion for the 1123 to be up for discussion. Alderman Baker seconded the motion and the motion carried.

A long discussion about landscaping and safety issues took place.

Alderman Hillmer made a motion to tabled Bill #1123 until the next Board meeting so the landscaping and the fence count the retaining wall can be addressed, seconded by Alderman Baker Motion can be with 6 ayes.

An Ordigance of the Chap of Welden Spring, Missouri, to Execute an Agreement with St. Charles County for building per litting, private sewage disposal/septic, blasting, code enforcement and property maintenance, and building damage assessment: Alderman Clutter have to read Bill # 1124 for its seconded reading and final time, seconded by Alderman Baker. On a roll call vote, the Bill #1124 was placed as Ordinance 19-07 as followed:

AYES: 6 – Schwaab, Clutter, Hillmer, Kolb, Martiszus, and Baker NOES: 0 ABSENT: 0

An Ordinance of the City of Weldon Spring, Missouri, Providing for the Adoption and Enforcement of Certain Codes in Order to Provide for the Public Safety and Welfare, and Matters Relating Thereto: Alderman Clutter moved to read Bill #1125 for its seconded reading and final time, seconded by Alderman Baker. On a roll call vote, the Bill #1125 was placed as Ordinance 19-08 as followed:

AYES: 6 - Schwaab, Clutter, Hillmer, Kolb, Martiszus, and Baker

NOES: 0 ABSENT: 0

**Update on Tablets for City Officials**: After discussions with Mr. Hanks, Alderman Martiszus proposed that the City do a pilot program by purchasing 2 different types of electronic devices with similar specifications. This will allow the City to select the best electronic device before purchasing them for the whole Board.

Alderman Martiszus made a motion to authorize the City to not to exceed \$1,300.00 in purchasing 2 different types of electronic devices, seconded by Alderman Clutter. **Motion carried** with 6 ayes

### **NEW BUSINESS:**

Oath of Office: Mr. Bill Hanks (City Clerk) swore Gerry Baker in for a two-year term as Alderman for Ward III.

FY 2018 Audit: Alderman Clutter made a motion to allow him to compile a package, with the help of the City Treasurer, which the help of the City Treasurer is the help of the City Tre

Alderman Clutter made a motion to formally accept the findings from the FY 2018 Audit, seconded by Alderman Hilling Motion of ried with 6 ayes

An Ordinance Amendate Section 605.030 of City Code (Solicitation of Private Residences): Alderman Step and Alderman Maniszus section of the months of the mo

Alderman Cutter read Bank 126 by litle only.

Alderman Clauser stated the changes include a fee increase to cover administrative costs and background check requirement with the Missouri State Highway Patrol, identification card requirement, and scalar tation time. A brief discussion took place.

Alderman Hillmer made a motion to adjust the fee to \$12.00 for any renewal within a year of the initial application because a background check is not necessary every week. Alderman Clutter seconded by the motion. Motion carried with 6 ayes

Bill # 1126 was tabled in accordance with City Code.

### REPORTS AND COMMITTEES:

City Administrator: Mr. Padella (City Administrator) briefly summarized his report.

Alderman Baker made a motion to reduce the scope of work on the Sammelman Road Project for funding consideration by the St Charles County Road Board, seconded by Alderman Hillmer. **Motion carried** with 6 ayes

Alderman Baker made a motion to authorize the City to negotiate with the Summit at Whitmoor involving the stormwater sewer acceptance and the pocket of park land, seconded by Alderman Clutter. **Motion carried** with 6 ayes

City Attorney: Mr. Wohler talked about Nancy Lane. He recommended that the City should not close the strip of road next to the City Park. A brief discussion about signage for access to Blueridge Terrance Subdivision.

Planning and Zoning Commission: No report given

Finance Committee: The next Finance Committee Meeting is scheduled for 4:00 PM on June 19, 2019,

**CERT Committee:** Alderman Schwaab talked about recent training exercises and the Kids' Fishing Day event in June.

PRAC Committee: No report given.

Alderman Kolb made a motion to authorize the City to rile a remonstrance with St Charles County to protest the preliminary plant. Bluffs because of traffic concerns, seconded by Alderman Clutter. Motion carried the carried of traffic concerns, seconded by Alderman Clutter.

### RECEIPTS & COMMUNICATIONS

Alderman Martiszus: te talked about the roads in the Granada Hills Subdivision.

Alderman Schwends: He taken about the Municipal League of Metro St. Louis and water testing by the Camelot Subdivision Homeowner Association.

### WORK SESSION:

There was no work session scheduled.

### CLOSED SESSION:

There was no closed session called at this meeting.

### **ADJOURNMENT:**

Alderman Kolb moved to adjourn the meeting and Alderman Baker seconded the motion. On a roll call vote, the vote to adjourned was:

AYES: 3 – Hillmer, Kolb, and Baker,

NOES: 3 – Schwaab, Clutter, and Martiszus

ABSENT: 0

After a brief discussion, it was decided to adjourn the meeting ended at 10:31 PM.

Respectfully submitted,

William C. Hanks City Clerk



PAID BILLS TO BE APPROVED MAY 16, 2019 -- JUNE 4, 2019 EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS

MAYOR

11th DAY OF JUNE, 2019

# Tue Jun 4, 2019 12:44 PM 5/16/2019 THRU 6/04/2019

VENDOR NAME	REFERENCE	VENDOR TOTAL	CHECK#	CHECK DATE
ACCOUNTS PAYABLE CLAIMS				
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***** REPORT TOTAL ****		245,404.39		

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	34102 Commerce Drive, Suite, C.	De Soro, KS 65018	Www.abcreative.net	Bit To	City of Weldon Spring 5401 Independence Road Weldon Spring, MD 63304 Michael Padella			Thank you for this opportunity and we look forward to working with you!		Continent Judges Control – red drawing USF US402 (24/19), includes: Spheres: GREEN Tubes/OSSI: BEIGE 1001 Tubes/OSSI: BEIGE 1001 Rope: OLNE GREEN Greenbuah Discount per contract #ESC-PLAYGROUND2016RFP 0.5 Shipping for Berliner 0.5 ID Sculpture: Per Quote #\$15 - Includes: Dasign Services   Connection Defail, Balance Log, Mini Arch, Rope Connections, Stepping Forms: Log (4x Tot. = 1x S, 2x M, 1x Lrg), Stepping Forms: Rock (4x Tot. = 1x S, 2x M, 1x Lrg), Stepping Forms: Rock (4x Tot. = 1x S, 2x M, 1x Lrg), Stepping forms: Rock (4x Tot. = 1x S, 2x M, 1x Lrg), Stepping for ID Sculpture Greenbuah Discount per contract #ESC-PLAYGROUND2016RFP 0.5 Shipping for ID Sculpture MO ABC Discount-ID Sculpture MO ABC Discount-ID Sculpture MO	20-20-5464 Board Cutterytier on 4/9/19
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PAYMENT TERMS.Net 30 days with approved credit and/or tax-supported government agencies.

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Delta Dental of Missouri P.O. BOX 790320 ST LOUIS MO 63179

Forwarding Service Requested

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Rate, Total Due and Amount Due includes any applicable premium expenses, for example any applicable Affordable Care Act fees

ELIGIBILITY POLICIES AND PROCEDURES. Payments from the first day of that month. Delinquent payment could affect the member's access to eligibility information and may suspend processing of claims.

All subscriber eligibility additions/changes must be received within 31 days of the effective date of the event. Otherwise, they will not become effective until the next anniversary date of your group.

Subscribers who change from family to individual coverage may change back to family after a one year wait and then only on the anniversary date of your group.

Retroactive terminations will be processed for a period up to 60 days prior to notification.

Monthly Premium Billing for 0419-1811 Billing Period 06/01/2019-06/30/2019

Probationary Period: Eligibility effective on the first of the month hollowing 30 days of employment. Form on the last day of the month of employment.

Payment due on or before 06/01/2019

Amount Due \$221.82

For billing inquiries, please contact KIARA GORDON

at 314-656-2735 800-392-1167 x2735

# Gateway Golf Cars Ltd.

JDEB [2,475] 1 of 3 B 4

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8965 Veterans Memorial Parkway O'Fallon, MO 63366 US

Invoice: 02-20968 Date: 5/7/2019

PO: Custld: CITY OF WELDON

SERVICE INVOICE

(636) 441-2110 BKINNER BKINNER Cust Emall: Phone: Salesperson: User:

Phone: (636) 272-2278 Fax: (636) 272-4653 Email: gary@gatewaygolifcars.com Web site: www.gatewaygolifcars.com

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REPLACE BATTERIES

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Customer Labor Delivery Charge

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REPAIRS

\$939.90 \$0.00 \$939,98

Invoice Total: Sub Total: Total Tax: Description
Customer Lt. CRTY OF WELDON
This invoice is due in 30 days. Thank you for your prompt payment.

Balance Due On This Invoice; \$939.98 Total Forms of Payment:

PAST 30 DAYS WILL BE SUBJECT TO A 1 12% FINANCE CHARGE. IF AN ATTORNEY IS USED FOR COLLECTIONS, YOU WILL OWE FOR THE ATTORNEY FEES. YOUR PROMPTNESS WOULD BE APPRECIATED.

Thank you for your business,

APPLICATION AND CERTIFIC	CATION FOR P	AYMENT	AIA DOCUMENT G702		PAGE 1 of 2 PAGES
O OWNER: City of Weldon Spring 5401 Independence Rd. Weldon Spring, MO 63304	PROJECT	: Independence Rd Ph IV STP-7302 (659)	APPLICATION NO:	#5	Distribution to:  KOWNER  ARCHITECT
ROM SUBCONTRACTOR: Karrenbynek Construction, In P.O. Box 279 New Melle, MO 6J365	VIA ARCHITECT	:	PERIOD TO:	05/01/19	CONTRACTOR
			CONTRACT DATE:	11/26/18	
CONTRACTOR'S APPLICATION  policusion in mudo for payment, as shown below, in  continuation Sheet, AIA Decument G703, is attached  ORIGINAL CONTRACT SUM  Not change by Change Orders  CONTRACT SUM TO DATE (Line   ± 2)  TOTAL COMPRIETED & STORED TO  DATE (Column P on G703)  REA 10.4 (Column P on G703)  REA 0.5 (Column P on G703)  REA 0.5 (Column P on G703)  REA 0.5 (Column P on G703)  BY COLUMN P ON G703  CO	connection with the Cons		The undersigned Contrastor certifin formation and belief the Work of completed in occurdance with the life Contrabet for Work is which payments received from the Owner SUIPPLER: Karrenbrock Constant, State of: hissouri	overed by this Applicat Contract Documents, it previous Certificates is r, and that ourent payn metion, inc.	fon for Payment has been JENNETRE I. JUNET of the payment has been plifted by Public - Notary Seaf and Payment were issued prijited by State of Missouri or Payment were issued prijited by State of Missouri or Sharven hers
(Column P on G703) Total Retainage (Lines 5a + 5b ar Total in Column 1 of G703) FOTAL BARNED LESS RETAINAGE (Line 4 Less Line 5 Total)	\$	0.00 714,161,91	ARCHITECT'S CER In accordance with the Contract Decomprising the application, the Acc	ocuments, based on on-	OR PAYMENT
LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line of from prior Certificate) CERTIFICATION OF THE PROPERTY OF THE PROPERTY PAYMENT DUE BALANCE TO FINISM, INCLUDING RETAINAGE (Line 3) Jess Line 6)	2   2   2 BC	\$510,707.62 203,454,29 1,148,654.26	Architec's knowledge, information the quality of the Work is in accord is entitled to payment of the AMOR	n and belief the Work h lance with the Contract JNT CERTIFIED.	us progressed as indicated, Documents, and the Contractor
			AMOUNT CERTIFIED ,		
CHANGE ORDER SUMMARY  Total changes approved a previous months by Owner	ADDITIONS \$6,000,00	1	(Attach explanation if amount cert) Application and onthe Community ARCHITECT: Sech vo. 14	fled differs from the co. n Sheet that are change	sount applied. Initial ull figures on this id to conform with the assonant certified.)
Total approved this Month	\$0.08	\$0.00	By: Natton Tue	her	Date: 5/15/2019
TOTALS	\$6,000.00	\$0.00	This Certificate is not negotiable.	The AMOUNT CERTIE	TITE is neverble only to the
NET CHANGES by Change Order	\$6,000.0		Contractor named herein, issuance, prejudice to any rights of the Owne	payment and acceptant	ce of navment are without

	: Independence Rd Ph IV STP-7302(658)					Application Number:	<i>8</i> 5	_			
Application P	Wried: 05/01/2019					Application	5/1/2019				
	A			П 0	ГС	Date:	E				
	ll dispa	Bid	Unit	Bld	Quantity	Value this pay	Clumbly	Total quantity	Total		G
		Quantity Unit		Value	completed this pay period	period	previously billed	billed on job	Completed end Stored to Date	% completed	Balance to Finis
Bid Kem No.	Description	-								(E) R	(8 - F)
201-1	Clearing and Grubbing	1.00	\$87,450.00	\$87,450.00	0.10	\$8,745.00	0.74	0.84	873,117,50	83,61%	814.332.5
202-1	Removal of Improvenients	1.00	\$40,240.00	\$40,240.00	0.15	\$8,038,00	0.45	0.60	\$24,144,00	80.00%	818,008.0
202-2	Full Dapih Sewent	840.00	\$3,50	\$2,940.00	232.00	\$812.00	107.00	339.00	\$1,186.50	40.38%	\$1,763.5
203-1	Unclamified Excavation	2418,00	34.35	\$10,622.85	278.00	\$1,209.30	1,905,81	2.167.61	89,518,10	90,43%	\$1,008.5
203-2	Compacting Embanisment	17833.00	\$2.85	\$50,254.05	0.00	\$0.00	8,705.47	8,705,47	\$24,810.50	49.37%	\$25,443,4
204-3	Compacting In Cut	40.00	\$62,00	\$3,280.00	0.00	(00,00	0.00	0,00	\$9,00	0.00%	\$3,280.0
JSP-J25	Unsuitable Material Removal	2550,00	\$10.60	\$27,540.00	0.00	\$0.00	207.22	207,22	62.237.56	0,13%	\$25,302,0
304-1	Type 5 Aggregate for Base, 4"	1850.00	84.00-	\$8,600,00	177.50	\$710.32	0.00	177.58	8710.32	10,78%	\$5,889,8
304-2	Type 5 Aggregate for Base, 8"	10080,00	\$8.50	365,325.06	3201.53	\$20,809.95	325.58	3,627,11	\$22,028,22	35,10%	842,396,7
310-1	Gravel (A) or Crushed Limestone (B)	188,00	\$20,00	\$3,780.00	0.00	\$0,05	9,00	0.00	\$0.00	0.00%	\$3,760.0
TRE-AST	2" Mill of Existing Personent	35.00	\$42.80	\$1,496.00	0.00	\$0.00	0.60	0.00	\$0.00	0.00%	\$1,486.0
401-1	2" Bit Pavement Mintere PG64-22 (BP-1)	88,00	\$22.73	\$2,000,24	0.00	\$0.03	0,00	0.00	\$0.00	0,00%	\$2,000.2
401-2	4" Bit Pevenent Mixture PO64-22 (Hase)	88.00	\$77.50	\$6,020.00	0.00	\$0.00	0,00	9.00	\$0.00	0.00%	SE 820.0
401-3	2" Bit Perement Missure PC70-22 (BP-3)	8173.00	810.20	\$63,364.60	0.00	\$0,00	0,00	0.00	'\$i0.00	0.00%	\$43,364,9
401-4	7.5° Bit Payerment Mixture PG64-22 (Base)	8138,00	\$30:70	8249,838.80	3524.32	\$108,128.62	. 0,00	3,524,32	\$105,198,62	49,31%	8141,639.9
502-1	Concepto Pavement (6 In Non-Reinf)	1299.00	\$45,00	\$58,455,00	177.58	\$7,891.10	0.00	177.58	\$7,991.10	13,57%	\$60,483,9
604-2	Curb Trilet	1.00	\$2,300,00	.\$2,390 car	0,00	58.00	0:00	0.00	\$0.60	9.00%	\$2,300.0
6043	Cirate Injut w/Side Intake	200	35,900.00	\$5,800.00	0.00	\$0,00	2.00	2,80	85,800,00	100.00%	20.0
604-4	Orate bilets	22:00	±2.700±00	859,400 DQ	8.00	\$0.00	12:00	12.00	\$39,400,00	54,55%	\$27,000.0
£04-5	Arms tolet	2.00	\$2,300.0d	\$4,600,00	0.00	40.00	0.00	0.00	36.00	0.09%	\$4,600.0
604-6	Clouble Aires Inlets	1.00	\$8,400,00.	\$8,400,00	0.80	\$0.00	0.00	0.00	50.00	0.00%	\$2,400.0
604-7	Dome Inlets	4.00	\$2,300:00	\$9,200.00	JD (S)	\$0.00	0.00	0.00	\$0.00	0,00%	10,200.0
604-8	Precist Concrets Murbols	3,00	\$2,700.00	\$8,100,00	0.00	\$0,00	3.00	3,00	\$8,100,00	100,09%	\$0.0
609-1	Vertical Curb and Gutter (2.5')	4386.00	\$22.00	\$90,492,00	1897.00	\$41,734,001	0.00	1,867.00	\$41,734,00	43.26%	\$64,758.0
609-2	Farquish and Install Rock Living	120.00	¥75.00	\$9,000,00	0.00	\$0.00	0.00	0.00	80.00	0.00%	\$9,000,0
618-1	Mobilization	1.00	\$59,007,00	859,007,00	0.00	80.00	0.76	0.75	\$44,265,26	75.00%	814,751.7
627-1	Contractor Purriched Surveying and Staking	1,00	\$25,000.00	\$25,000,00	0.03	£750.000	0.55	0.58	\$14.500.00	68,00%	
627-2	Setting Property Comern Along Existing Project Est, ROW	21,00	\$125,00	\$2,825.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00%	\$10,600.0
627-3	Ar-Built Drawing	1.00		\$2,600.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00%	\$2,625.0
720-1	Modular Hock Retaining Wall	3488.00	\$2,600.00	\$119,640,00	0,00	\$0,00	2,900,10	2,900,10		1	\$2,500.00
JSP-J29	12" Pipe (Link Cont Shall Individu Heiding & Grouples Suckeill)	170s:26	130.00	\$88,408,52	0.00	\$0.00	1,120,99		\$87,003,00	72.7294	\$32,837.00
	15" Pipe (Unit Cher Shall Inchide Bedding & Granuler Beckfill)	112.17	\$82,00	\$6,383.00	0.00	\$0.00	47.59	1.120.98	<b>\$55,291.48</b>	92,41%	135,114.0
	18" Pipe (Unit Cost Shall breiside Bedding & Gjurniar Backfill)	239.75	\$57.00	\$15,104.25	0,00		11.114	47.50	<b>\$2,712.6</b> 3	42,433%	\$3,881.00
7 tota 7/10/2	v iba (-dur Post osierf manne-russing & Chingle, Beckill)	313.71	\$83.00	\$23,214,54	arther.	90,00	209,24	209:24	3/3,1/22,12	B7.27%	\$1,922.10

		12.0	0	\$1,056 00	0.00	\$0.00	0.00	. 0.00	\$0.00	0.00%	\$1,956,00
	50" Pipe (Dair Cast Shall Include Dedding & Grander Backful)	72.1	jagotala j	\$5,651.70			72.10		35,551,70	100,00%	\$0.00
	24° Class III RCP (Unit Cost Shall Include Declains & Countier Backfill)	115.6	det s from	\$10,522.38	900	\$10.00	115,63		\$10,522,33	1 100	\$0.00
	30° Class III ACP (Unit Cost Shull Include Bottling & Georgian Hayleth).	1.6	401.00	\$950.00	9.00		0,00		60.00	1.71	\$950,00
732-2	15" Precast Commin Flared End (swTogwall)	1.6	90,300,000	\$1,650,00		\$0.00	1,00	- 13	\$1,650.00	100,00%	\$U 00
	26" Precent Concrete Flatted End (no Toestall)	2.0	dittelamon	\$3,800.00		50.00	00.00		\$0.00	0.00%	\$3,800 00
	30" Procest Concrete Flored East (w/Foewall)	1.0	- attentionals	\$13,285.00	8,00	30.00	0.00		\$0.00		\$13,266,00
	Sprinkler System Restoration	13214.0	#10,200.00	\$59,373.50		\$0.00	0.00		\$0.00	0.00%	\$69,373,50
	TurfType Tail Feese Sodding	6068.0	derete	\$15,294.00			1938.00		\$5,806.00	37,98%	\$9,488.00
	Silt Fennes	35.0	40.09	35,075,00	9.00	50:00	1 00	_	\$145,00	2.86%	\$4,930.00
	Infet Check		# Printer	\$12,000.00		\$8,000.00	0.00		\$6,000.00		56,000,00
JSP-J26	Remove and Replace Existing Mailboxes, Memments and Signs	1.0	41500000	\$12,000.00		\$6,000.00	0,00		-50,00	0.00%	\$3,009,00
JSP-J31	Adjust to Grade Sunitary/Steem Manholes	3.0	th himonyon.							0.00%	
JSP-J39	Rock Olich Check	10,0	3143.00	\$6,850 00		\$0.00	0.00		\$0.00		\$1,850.00
JSP-J34	Temporary Horse Paddook Pence	840,0	019/90	\$12,600,00		\$0.00	713.00		\$10,895.00		\$1,905.00
JSP-J33	Remove & Reconstruct Extitting House Paddock Fonce	980.0	940.00	\$477,040,00		\$0.00	0,00		\$0,00		\$47,046.00
JSP-J36	Rectargular Flashing Bracou	2.0	4500,00	\$400.00			0.00		\$0.00	0.00%	\$400.0
JSP-135	Clumnel Protection Revelment	252.0	S132.00	\$34,584.90	0.00	\$0,00	0.00	0.00	\$0.00	0:00%	\$34,584,00
JSP-J32	Replace 8" PVC Sanitary Sewer w/8" Deatile Iron	40.0	\$268.00	\$10,720.00	0:00	\$0.00	0.00		\$0.00	0.00%	\$10,720.00
JSP-J37	Uproot Bushes & Pface in Yard	1.0	65,730.00	\$5,730.00	0.00	\$0,00	1,00		\$5,730,00	100.00%	\$0,0
JSP-J38	Tourponuty Seeding	3600.0	\$0,56	\$1,925.00	0.00	\$0.00	0.00	0,00	\$0.00	0,00%	\$1,925.00
JSP-J [2	Borrow and Waste	15214.0	97:95	\$120,961 30	0.00		7,351 35		\$58,443.23	48 32%	\$62,808 (7)
310-2	(" of 2" River Gravel Over Geofabric	5,0	\$200.00	\$1,000.00	0.00	\$0,00	0.00	0.00	\$0,00	0.00%	\$1,000,00
203-4	Code L Soil Drying Agent	1850,0	D \$8.50	\$14,025.00	0,00	20T00	0.00		\$0,00	0.00%	614,025.00
203-5	Minufi HP570 for Geographic Overlap Wall	5000.0	94.00	\$20,000.00	0.00	\$0.00	0.00	0,00	\$0,00	0.00%	\$20,000,0
803-4	Permissional Southing	7000:0	D \$0.75	\$5,250.00	0.09	\$0.00	, 0.00	0.60	\$0,00	0.00%	\$5,250.0
609-3	Two Foot Wide Concrete Rolled Carls & Gutter	25.0	\$30,00	\$750.00	0.00	\$0.00	0.00	0,00	\$0.00	0,00%	\$760.0
604-9	Ourfull Structure OS-107	1.0	\$9,200.00	\$8,200.00	0.00	\$0.00	1:00	4,00	\$9,200.00	100.00%	\$0.00
604-10	O&-107A 16' of 6" PVC Concrete Red & Trush Ruck	1:9	\$4,300.00	\$1,300.00	D 00	\$0.00	1.00	1 00	\$1,300,00	100.00%	80.0
604-5	4" Bit Pavengent Missure PG64-22 Treuch Patching (Base)	122.0	\$79,00	\$9,616.00	.0,00	\$0.00	0.00	0.00	\$0.00	0,00%	\$9,516.00
	Subtotal-Roadway Heme	Į.									
	Bicycle/Pedestrian Items										
304-2	Type 5 Aggregate for Beas, 8" Trail	2526.0	97.70	\$19,450,20	0.00	\$0.00	0.00	0,00	\$0,00	0.00%	\$19,450,2
401-S	4" Bit Payament Misture PG64-22 (BP-1)	2195.0	00.91	\$41,705.00	0.00	\$0,00	0,00	0,00	\$0.00	0.00%	\$41,705.0
507-1	Chain Link Feace for Retaining Wall	314.0	\$29.00	\$9,106.00	0.03	\$0,00	0,00	0.00	\$0,00	0.00%	\$9,105.0
	Concrete Curb Ramp	15,0	\$1,000,00	\$15,000.00	0,00	\$0.00	0.00	0.00	\$0.00	0,00%	\$15,000.00
	Truntated Domes	121.0	125.00	\$3,025.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00%	\$3,025,0
608-3	Concrete Sidewalk	449.0	95.00	\$2,245.00	0.00	50.00	0.00	0.00	\$0.00	0.00%	\$2,245.0
	Subtatal-Bicycle/Podestrian Items										
	Traffic Control Items	1	1								
		2.0	\$250.00	\$700.00	0.00	\$0.00	2.00	2.00	\$700.00	100.00%	\$0.0
16[6-] 1	Project Information Singu										
	Project Information Signs	850.0	_	\$5,200,00	57.50	\$460,00	330,00	296.50	\$3,172:00	81.00%	82,028.00
	Project Information Signa Construction Signa Trine-Line Chanseline	850.0 90.0	\$8.00	\$5,200,00 \$1,360.00	57.50 0.00	\$460,00 \$0,00	339,00	296.50 58,00	\$3,172.00 \$870.00	61.00% 64.44%	\$2,028.00 \$480.00

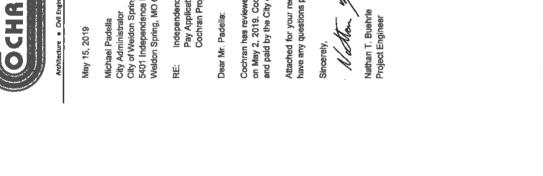
617-3	Temperary Concrete Berrier	1500.00	\$19,15	\$28,726.00	5.00	\$0.00	0.00	0.00	\$0,00	0.00%	\$28,725.00
	Subtotal-Truffle Control Items										
	Signing/Striping Items										
620-1	4" White Acrylic Waterborns Type L Beach Paint	4400.00	\$1.00	34,400.00	0.00		0,00	9.00	\$0.00	0,00%	\$4,400.00
670-2	4" Yallow Azzylio Woterborne Typo I. Beads Paint	6800,00	\$1.00	\$5,600.00	0,00			0.00	7	0.00%	\$5,600,00
620-3	24" Yellow Type I Preformed Present Marking Tape	\$0,00	\$25,00	\$1,250.00				0.00	\$0.00	0,00%	\$1,250,00
621-I	12* White Type 1 Proformed Pavement Marking Tape	50.00	\$20.00	\$1,000.00	0.00		0,00	0.00	\$0,00	0.00%	\$1,000.00
621-2	24" White Type I Proformed Merking Tape	25.00	\$25.00	\$625.00	0.00		0,00		\$0.00	0.00%	\$625.00
620-I	LT & RT Arrows Type   Preformed Marking Tape	6.00	\$300,00	\$1,800.00	0,00	\$0.00	0.00	00.00	\$0.00	0.00%	\$1,800,00
620-5	Bike Lane Symbol Type i Preferend Marking Tups	10.00	\$500,00	\$5,000.00	0.00	\$0.00	0.00	0.00	\$0.00	6,00%	\$5,000.08
620-6	Yoild Line Marking	40.00	\$20.00	\$800.00	0.00		0.00	0.00	\$0.00	0.00%	\$900.00
903-1	Pennanent Signs	75.00	\$48.00	\$3,600.00	0.00	\$0,00	0,00	0.00	\$0.00	0.00%	\$3,600.00
	Subtotal-Signing/Striping Items										
	Alternate B	11									
ISP+J27	4" High Black Painted Metel Safety Fence, Upgrade Cost	314.00	848.00	\$14,444.00	0.00	\$0.00	0.00	0.00	\$0.00	0.00%	\$14,444,00
ISI-JZ8	Boulder Retaining Wall, upgrade cost	474.00	\$18,00	\$7,584.00	0.00		365.00	385.00	\$9,180.00	61.22%	\$1,424,00
206,2,1	Straw Wattle (change units #1)	2000.00	\$3.00	\$8,000.00	0.00	\$0.00	631,00	531,00	\$2,493.00	41.55%	\$3,507.00
							·				
	-	4		\$1,862,858.17		\$203,454.29			\$714,161.91	38.34%	\$1,148,694.26
	Totals		ļ	\$1,002,800.17		9240,45420			57 1-3, TG 1.071	30.0179	\$ 1, 1-40,000 N.E.C



Architecture • Chil Engineering • Land Surveying • Site Development • Geotechnical Engineering • Inspection & Materials Testing

### TRANSMITTAL

OT SPISION NO.	Michael Padella City Administrator City of Waldon Spring 5401 Independence Road Weldon Spring, MO 63304	Pring nce Road NO 63304		DATE: PROJECT NO.: RE:	May 15, 2019 M18-7619 Independence Road Reconstruction Phase IV, STP-7302(659) Weldon Spring, MO
SENT VIA:					
⊠1" Class □United P	⊠1st Class □United Parcel Servics:		☐Hand-Delivery ☐Next Day Air	☐Pickad Up ☐Standard Overnight	might
ATTACHE	ATTACHED PLEASE FIND;	IND		TRANSMITTED AS:	AS:
Plans	Spec	Specifications			
☐ Prints ☐ Letter	☐Chang ☐Other	☐Change Order ⊠Other		☐As Requested ☐Other	dApproved as Noted
COPIES	SIZE	NUMBER		DESC	DESCRIPTION
-	8.5x11	-	Recommendation Letter	ın Letter	
-	8.5x11	9	Lien Waivers to Inc., Site Syster Material Compa	the City of Weldon Sin Landsceping, LLC, my, BMC Stone, LLC,	Lien Waivers to the City of Weldon Spring from Karrenbrock Construction, Inc., Site System Landscaping, LLC, Boehmer Bros, Inc., Breckenridge Material Company, BMC Stone, LLC, and K & P Precast, Inc.
1	8.5x11	4	Application and	Application and Certification for Payment	18 mt
-	8.5x11	18	Certified Payroll Reports	Reports	
REMARKS:	3		- 1		
	2)	2	100/10		
COPY TO:	<u>.</u>			SIGNED.	athen Musher
					Nathan T. Buenrie, Project Engineer





Architecture • Civil Engineering • Land Surveying • Site Development • Geotechnical Engineering • Inspection & Materials Testing

City of Weldon Spring

5401 Independence Road

Weldon Spring, MO 63304

Independence Road Reconstruction Phase IV Project Pay Application #5

Cochran Project No. M18-7619

Cochran has reviewed Karrenbrock Construction, Inc., pay application No. 5 and certified payroll received on May 2, 2019. Cochran recommends pay application No. 5 in the amount of \$203,454.29 be approved on May 2, and paid by the City of Weldon Spring. Attached for your records are one copy of the pay application, certified payrolls and lien waivers. If you have any questions please feet free to contact Cochran at 636-332-4574.

B East Mi Wentzvil Telephor Fax: 636-

Main Street	737 Rudder Road	530A East Independence Drive 201 West Karsch Boulevard	201 West Karsch Boulevard	905 Executive Drive
ville, Missouri 63385	Fenton, Missouri 63026	Union, Missouri 63084	Farmington, Missouri 63640	Farmington, Missouri 63640 Osage Beach, Missouri 65065
ione: 636-332-4574	Telephone: 314-842-4033	Telaphone: 636-584-0540	Telephone: 573-315-4810	Telephone: 573-525-0299
36-327-0760	Fax: 314-842-5957	Fax: 636-584-0512	Fax: 573-315-4811	Fax: 573-525-0298
		www.cochranene.com		

905 Executive Drive Osage Beach, Missauri 65065 Telephone: 573-525-0299 Fax: 573-525-0298

201 West Karsch Boulevand Farmington, Missouri 63640 C Telephone: 573-315-4810 Farc 573-315-4811

S30A East Independence Drive
Union, Missouri 63084
Telephone: 636-584-0540
Fax: 636-584-0512
www.cochraneng.com

Fenton, Missouri 63026 Telephone: 314-842-4033 Fax: 314-842-5957 737 Rudder Road

8 East Main Street Wentzville, Miscouri 63385 Telephone: 635-332-4574 Fax: 636-327-0760



## **Billing Statement**

Fto. Box 1810, Columbia, MO 65205-1810

City Of Weldon Spring Missouri 5401 Independence Rd Weldon Spring, MO 63304-7845

1 of 1 05/21/2019 \$6,515,00 Account Number:
Statement Date:
Statement Number:
Page:
Due Date:
Amount Due:

Producer: 205-41 Insurance Store, Inc.

	\$0.00
MEM 206949-15 (05/01/2019 - 05/01/2020) Polity Charges	_
Premium	4 4 5 0
Expense Constant	25,004:UC
Terrorism Premium	70.47.5
Second Injury Fund Surcharge	\$369.00
-	_
	Of the second
	D 19 P
	10

If a previous balance appears on your statement, that portion of the current balance may be due sariler than the due date shown.

Please contract Customer Service at 1,800,442,0593 or customerservice@mem-ins.com if you have questions.

up for Automatic EFT. This Account is set

Payment will be processed automatically on the statement due date.

Account Number:	206949
Statement Date:	05/01/2019
Statement Number:	300021703
Due Date:	05/1/2019
Amount Due:	CO 1471 00

Due 5/1/19



P.O. Box 1810, Columbia, MO 65205-1810

RENEWAL NOTICE TO PAY Worker's Comp

03/27/2019

Date:

Weldon Spring, MO 63304-7845 City Of Weldon Spring Missouri 5401 Independence Rd قِ

Mindi Markt Рют:

Underwriting Department Renewal Notice to Pay ë

Renewal policy number: Account number:

Billing Payment Mode: Renewal policy term:

MO Second Injury Fund

Initial Payment Items

**Expense Constant** Terrorism Risk Act

Total to Remit

05/01/2019 - 05/01/2020 MEM 206949-15

240.00 5,864.00 369.00

42.00

6,515.00

For all billing inquiries please contact us at 1.800.442.0593 or customerservice@mem-ins.com.

To save time and money, select to enrol! in our new Automatic Automatic EFT Payment Options via Checking or Savings

EFT payment option. Contact Customer Service for assistance.

on the statement due date after the policy renews. The payment will be processed automatically This Account is set up for Automatic EFT.

MEM 206949-15 05/01/2019 6,515.00 Account Numbers Policy Numbers Amount Due: Due Date:







636-939-3555 • FAX 636-300-0922 www.stumpyshouseofbbg.com

CUSTOMER.

COO WESTATE. TRANSACTION DATE.

EVENT DESCRIPTION

SALE AMOUNT SALES TAX.... DELIVERY CHARGE. SERVER CHARGE. RENTALS... MINUS DEPOSIT... BALANCE DUE,

remit to the above address upon receipt. Thank you for Please make checks payable to River City Catering and your business!!!!!

WELDON SPRING MUNICIPAL DIVISION A DIVISION OF THE ELEVENTH JUDICIAL CIRCUIT COURT ST CHARLES COUNTY STATE OF MISSOURI

CHECK REQUEST FORM

For the Month of: April 2019

Sheriff Retirement fees: \$159.00

COURT ADMINISTRATOR LAURA BROWN, CCA

### ### ###



### **Expense Report/Reimbursement Request Form**

5401 Independence Road Weldon Spring, MO 63304 (636) 441-2110 phone (636) 441-8495 fax

Name:	Sue Stelge	<u>.</u>			Date:	5/16/2019
Signature:					-	
Department	t/Activity:	City Treasurer				
Dates	Thron:	Destination:	assponi.		City Credit Card Purchase Amount	Misc, Réimburyabile : Expanse:
4/11/2019		Central Bank - WS	deposit	3.3		
4/19/2019		Central Bank - WS	deposit	3.3		
4/28/2019	1	Amazon-online	10 boxes of standard staples			\$ 7.96
4/30/2019	\	Central Bank - WS	deposit	3.3		
5/9/2019		Central Bank - Ofallon	deposit	· 7.0		
5/16/2019		Central Bank -WS	deposit	6.5		
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				23.3	5 -	\$ 7.96
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Total N	Aileage: 23.		\$ 13.51 Total Mileage Reimbursement			
	<u> </u>	Total Misc./Other Purch		1		
	Tota	l Reimbursement to Employee,	/City Official: \$ 21.47.			
Supervisor's	Review:	1		Date:		
Approved by	i. 1/-	w Ruch		Date: 5//	6/19	

76'L &

Total for This Shipment: **\$16,44** 

Shipping Speed: One-Day Shipping

O0.0\$ :xeT sele2 Total before tax: \$16,44

United States O FALLON, MO 63366-1156 Shipping Address: MARION S STEIGER 20 BATTERSER CT

Shipping & Handling: \$0.00 Item(s) Subtotal: \$16.44

*76*℃ 9 86'€\$

Condition: New

2 of: Swingline Staples, Standard, 1/4" Length, 210/Strip, 5000/Box, 5 Pack (35101) Condition: New

87-63 Price

4-01: 18 inch x 30 feet Deco Poly Mesh Ribbon - Value Mush (Pink)

Items Ordered

Shipped on April 29, 2019

Order Total: \$88.38 Amazon.com order number: 113-0628733-3590654 Order Placed: April 28, 2019

Print this page for your records PSUGGE CELTURE ETTS YOU DE ATE SHOOT OF HEIRS

MOJUOZEUJE

מ החווים חווים מחוום מחוום UHS Premium Billing PO BOX 94017 Pelatine, IL 60094-4017

1312/REGILARBW0004002-06682-01 CITY OF WELLDON SPRING MISSOUR! MICHAEL PADELLA 5401 INDEPERDENCE RD WELDON SPRING MO 53304-7845

Invalce Date: 05/10/2019
Customer No: 04/59028
Bill Group No: 1
Coverage Period: 06/01/2019 - 06/30/2019
Due Date: 06/01/2019 Manage your Account:

Thank you for your business.

Account Summary

Previous Balance Payments (-)

61/91/5

9,28

9107

2.7

2.9

9.71

57

7.0

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CHARGOUR

aceup.m.

City Credit Card

:9160

Expense:

MH2C.

6\T0Z/9T/9

:atsd

:9160

Pay Online. Go to www.employereservices.com to make a one-time payment We offer several payment options to help you manage your account. or schedule monthly payments directly from your bank account. **About Your Payment** 

\$0.00 \$3,511,86 \$3,511.66 \$3,243,15

Account Adjustments (+/-)

Current Charges (+)

\$3,243.15

Total Balance Due

payment must be sent to the address on the form below to ensure it is applied to Pay By Phone. Call 1-868-842-4571, TTY 711, 8 a.m. – 8 p.m. ET, Monxlay -Pay By Check. Use the enclosed envelope to send us your payment. Your Friday, to make a payment directly from your bank account.

your account. Checks returned for lack of funds or checks that can't be cashed for any reason are not considered payment.

Payment is due in full on or before the due date above. If full payment is not received by the end of your grace parked, your coverage may be terminated as stated in your pollcy requirements. If a premium payment is deposited late, it does not automatically mean we will accept the premium.

### Expense Report/Reimbursement Request Form

(636) 441-2110 *phone* Weldon Spring, MO 63304 5401 Independence Road

Total Mileage Reimbursement

MoCCFOA/City Clerk Luncheon

Mail Liquor License Renewals

Mail packets

Deliver P & Z Packets

Pickup Supplies

Mail packets

:udseey

xel 2648-144 (858)

2 43

Approved by:

2/16/2019

6102/21/5

6107/8/9

Supervisor's Review:

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Chesterfield

Post Office

Post Office

Max жñiO & едпічетда

> > Payment Due Date 06/01/2019

Customer Number

Customer Name CITY OF WELDON SPRING MISSOURI

04F9028

Please detach and return with your payment.

Minimum Amount Due: \$3,243.15

Amount Enclosed

40

UHS Premium Billing PO BOX 94017 Palatine, IL 80094-4017

Send payment to:

Total Reimbursement to Employee/City Official: \$ Total Misc./Other Purchases: \$

46.53357071001000000324931546533465

UNPAID BILLS TO BE APPROVED MAY 24, 2019 -- JUNE 11, 2019

Page

Tue Jun 4, 2019 1:08 PM 5/24/2019 THRU 6/11/2019

VENDOR NAME ACCOUNTS PAYABLE CLAIMS	REFERENCE	VENDOR TOTAL C	HECK	CHECK # DATE
ROBERT WOHLER	LEGAL FEES	1,410.00	15395	15395 6/11/19
**** PAID TOTAL *****		1,410.00		
***** REPORT TOTAL *****		1,410,00		

### City of Weldon Spring General Statement

	General Praceurelle	
Date	May, 2019	Amount
5/1/2019	Prepare legal memo for aldermen on pot ordinance	100.00
5/1/2019	Review Todd's staff report on Balt shop	10.00
5/1/2019	Contact title company's rep about Nancy Lane	25.00
5/1/2019	Call from Bill about Todd's report, distribution	5.00
5/1/2019	Contact C.A. about title examination, map, etc.	5.00
5/6/2019	Confer with C.A. about Nancy Lane, Workers Comp. claim	10.00
5/7/2019	Review and send Nancy Lane report to C.A. with comments	20.00
5/8/2019	Call from Mayor about Solicitor's Ordinance	5.00
5/8/2019	Send Nancy Lane deed to title examiner with cmments	10.00
5/9/2019	Review Solicitor's Ordinance for possible changes	10.00
5/13/2019	Discuss Sunshine Law issue with City Clerk	10.00
5/13/2019	Review County enforcement Ordinance	10.00
5/13/2019	Confer with C.A. after review letter from atty. P&Z letter	25.00
5/13/2019	Contact Attorney for Bait Shop, discuss options by letter, fax	30.00
5/13/2019	Call from Attorney DeFour about Public Hearing	10.00
5/14/2019	Call from Mayor about Bait Shop Hearing	5.00
5/14/2019	Board Meeting	300.00
5/15/2019	Call to Mike Meiners about Nancy Lane Ownership	10.00
5/16/2019	Review and correct draft ordinance on plat	10.00
5/21/2019	Send City Engineer's documents to title company after review	15.00
5/21/2019	Call to Sue about insurance coverage	5.00
5/23/2019	Board Meeting	400.00
5/23/2019	Confer with US Title about possible easements on Nancy Lane	15.00
5/23/2019	Call from Mayor about agenda items	5.00
5/23/2019	Research authority to inspect without search warrant	35.00
5/23/2019	Confer with Mayor, C.A. and Alderman Baker about Nancy Lane	30.00
5/25/2019	Locate 2008 documents, deed on Nancy Lane, forward to C.A.	45.00
5/25/2019	Call to C.A. about aggressive code enforcement on developer	10.00
5/25/2019	Send copy of research on code enforcement to C.A.	10.00
5/25/2019	Send revision of marijuana Ordinance to C.A.	30.00
5/29/2019	Research reverter language for Summit Park	25.00
5/29/2019	Prepare memo about restrictions on wall	165.00
5/29/2019	Discuss memo and reverter clause with C.A.	10.00

\$1,410.00

Respectfully Submitted,

Robert M. Wohler

5/29/19

BILL NO.	ORDINANCE NO
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AN ORDINANCE PROVIDING FOR THE REASONABLE REGULATION OF MEDICAL MARIJUANA WITHIN THE CITY OF WELDON SPRING IN ORDER TO PROTECT THE PUBLIC HEALTH SAFETY AND WELFARE, AND MATTERS RELATING THERETO.

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

Section 675.05: That the Board of Aldermen of Missouri Cities of the fourth class, Weldon Spring being such, have the authority to enact ordinances providing for the reasonable regulation of businesses and activities within the City limits in order to protect the public health and safety and maintain the peace, good government and welfare of the City and its trade and commerce as set out in Section 79.450 RSMo.

**Section 675.010:** This Chapter shall be known as "The Medical Marijuana Ordinance for the City of Weldon Spring, Missouri.

**Section 675.020:** The provisions of this Chapter shall apply within the municipal boundaries of the City of Weldon Spring, Missouri.

Section 675.030 Purpose: It is the purpose of this Chapter to regulate medical marijuana businesses and related activities to promote the health, safety and general welfare of the citizens of the City of Weldon Spring and to establish reasonable and uniform regulations to prevent the possible deleterious operation, location and concentration of medical marijuana businesses within the City of Weldon Spring. It is not the intent nor effect of this Chapter to deny access by qualifying patients to medical marijuana as provided by Amendment 2 which is codified as Article XIV, Section 1 of the Missouri Constitution. It is neither the intent nor effect of this Chapter to condone or legitimize the illicit possession, distribution or delivery of any controlled substance.

### Section 675.040 Legislative Findings of Fact.

- A. Based upon evidence concerning marijuana and secondary effects of medical marijuana facilities on the community including factual findings incorporated in the following documents listed below, the City Council finds that:
- 1. Since 1937, Federal law prohibits the cultivation, possession, sale and use of Marijuana without regard to a claimed medical need. See, Marijuana Tax Act of 1937. Pub.L. 75-238, repealed 1970, replaced by Comprehensive Drug Abuse Prevention and Control Act of 1970.

- 2. On August 23, 2013, the United States Department of Justice issued a memorandum entitled "Guidance for Marijuana Enforcement." The memorandum established eight guidelines for states regarding federal priorities in determining whether federal enforcement of controlled substance laws should commence against persons involved in specific activities related to marijuana cultivation and distribution. This Chapter places the highest priority on meeting the memorandum guidelines; particularly guidelines related to protecting the public health and safety, restrictions on the availability of marijuana to minors, and the prevention of the illegal trafficking and profiteering in marijuana.
- 3. In 2014, the United States Congress enacted the <u>Rohrabacher-Farr Amendment</u> which prohibits the United States Department of Justice from spending funds to interfere with the implementation of state medical marijuana laws.
- 4. In 1996, through Proposition 215, Medical Marijuana was introduced in California.
- 5. As of 2018, 29 states and the District of Columbia permit some form of medical marijuana.
- 6. As of November, 2018, 10 states and the District of Columbia have adopted laws legalizing marijuana for recreational use. See, <u>Governing</u>, (January 2019).
- 7. In November 2018, the voters of Missouri passed Amendment 2 to the Missouri Constitution legalizing the growing, manufacturing, transportation, and consumption of marijuana for medicinal purposes. Amendment 2 is codified as Article XIV, Section 1 of the Missouri Constitution and provides in Section 1.7(11) that:

Unless allowed by the local government, no new medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility shall be initially sited within one thousand feet of any then-existing elementary or secondary school, child day-care center, or church. No local government shall prohibit medical marijuana cultivation facilities, medical marijuana testing facilities, medical marijuana-infused products manufacturing facilities, or medical marijuana dispensary facilities, or entities with a transportation certification either expressly or through the enactment of ordinances or regulations that make their operation unduly burdensome in the jurisdiction. However, local governments may enact ordinances or regulations not in conflict with this section, or with

regulations enacted pursuant to this section, governing the time, place, and manner of operation of such facilities in the locality. A local government may establish civil penalties for violation of an ordinance or regulations governing the time, place, and manner of operation of a medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana-infused products manufacturing facility, medical marijuana dispensary facility, or entity holding a transportation certification that may operate in such locality.

- 8. <u>Do Medical Marijuana Centers Behave Like Locally Undesirable Land Use?</u>
  <u>Implications for the Geography of Health and Environmental Justice, Urban Geography (2013).</u>
- 9. <u>Medical Marijuana Meets Zoning: Can You Grow, Sell, and Smoke That Here?</u> <u>American Planning Association, Planning & Environmental Law, Vol. 62, No. 8, p.3 (Aug. 2010).</u>
- 10. Analysis of the medical use of marijuana and its societal implications. J. Am. Pharm. Assoc. (Wash) (Mar-Apr 1998).
- 11. New Study Highlights the Social Impacts of Cannabis Legalization in California, Forbes, (May 17, 2018).
- 12. <u>The Health and Social Effects of Nonmedical Cannabis Use</u>, World Health Organization, (2016).
- 13. The average medicinal marijuana cardholder is a 32 year old white male with no history of chronic illness and a history of substance abuse. See, <u>The Marijuana Experiment</u>, <u>Considerations of Legalization In Illinois</u>, Illinois Association for Behavioral Health (powerpoint presentation).
- 14. <u>Local Impacts of Commercial Cannabis</u>, International City/County Management Association, (September 2018).
- 15. The outright prohibition of medical marijuana businesses is in contravention of Amendment 2; but reasonable time, place and manner regulation of such businesses so as to curtail and prevent pernicious secondary effects is both permissible and desirable. See, Section 7(11) of Amendment 2.
- 16. When marijuana plants begin to flower and for a period of up to two months or more during the growing season, produce a pungent and strong odor detectable beyond property boundaries and that can adversely impact the peace and enjoyment of persons on nearby properties.

- 17. The public health, safety, welfare and convenience of the residents of the City require that medical marijuana businesses and their locations be regulated in order to reduce the potential for harm and in order to preserve and protect the quality of life in the residential and business environs of the City.
- 18. It is the duty and responsibility of the Mayor and Board of Aldermen to protect and preserve the public health, safety and welfare of the City and its residents, the stability of the value and use of property within the City and the character of its neighborhoods and developments.
- 19. In order to preserve the public peace and good order and to safeguard and promote the health, safety and welfare of the City and its citizens, therefore, it is necessary and advisable to regulate and restrict the location and operation of medical marijuana businesses.
- 20. The general welfare, health, morals and safety of the citizens of this City will be promoted by enactment of this Ordinance.
- 21. The requirements of this <u>Ordinance</u> advance the public health, safety and welfare by providing regulations governing the location and operation of medical marijuana businesses within the municipal boundaries of the City.

### Section 675.050. Definitions.

A. For the purposes of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AMENDMENT 2: A voter initiated amendment to the Missouri constitution adopted November 6, 2018, codified as Section 1 of Article XIV to the Missouri constitution.

DEPARTMENT: means the state of Missouri Department of Health and Senior Services, or its successor agency.

FACILITY: means a Medical Marijuana Cultivation Facility, Marijuana-Infused Products Manufacturing Facility, Medical Marijuana Testing Facility or Medical Marijuana Dispensary Facility, or any combination thereof, or any business related to the possession, sale, use, cultivation or manufacture of marijuana.

IDENTIFACTION CARD: means the card issued by the Missouri Department of Health and Senior Services that permits a qualified patient or primary caregiver to purchase medical marijuana.

LICENSEE: An entity issued a licensee or certification by the Department for the cultivation, manufacture, dispensing, sale, testing, tracking, and transportation of marijuana for medical use.

MARIJUANA: or "Marihuana" means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood, within the scientific community to constitute marijuana, as well as, resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA-INFUSED PRODUCTS: means products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

MEDICAL MARIJUANA CULTIVATION FACILITY: means a facility licensed by the Department to acquire, cultivate, process, store, transport, and sell or provide marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility.

MEDICAL MARIJUANA DISPENSARY FACILITY: means a facility licensed by the Department, to acquire, store, sell, transport and deliver marijuana, marijuana-infused products

and drug paraphernalia used to administer marijuana as provided for in this section to a Qualifying Patient, a Primary caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.

MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY: means a facility licensed by the Department to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.

MEDICAL MARIJUANA TESTING FACILITY: means a facility certified by the Department to acquire, test, certify, and transport Marijuana.

PATIENT or QUALIFYING PATIENT: has the meaning provided in Amendment 2 and any other related regulations promulgated by the state of Missouri.

PRIMARY CAREGIVER: has the meaning provided in Amendment 2 and any other related regulations promulgated by the state of Missouri.

B. In addition to the definitions provided in subsection A of this section, the other defined terms in Amendment 2 are incorporated into this ordinance by reference.

### ARTICLE II

### Location, Building and Signage Regulations

### Section 675.100 Limitation and Delivery.

Each Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall be operated from a permanent location. No Facility described in this section shall be permitted to deliver or operate from a movable, mobile or transitory location. No Medical Marijuana Dispensary Facility shall dispense marijuana via drive-thru window or lane.

### Section 675.110 Prohibited Locations.

A. No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall be located in any of the following zoning districts:

### Residential or Commercial Districts.

- B. No Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall be located at the following locations:
  - 1. within one thousand feet (1,000') of a licensed childcare facility;
  - 2. within one thousand feet (1,000') of any educational institution or school, college or university, either public or private;
  - 3. within one thousand feet (1,000') of any public park, public pool or public or private recreational facility;
  - 4. within one thousand feet (1,000') of any halfway house or correctional facility;
  - 5. within one thousand feet (1,000') of any other Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility; or
- 6. within seven hundred fifty feet (750') of any building or structure that contains a residential unit.
- C. The distances described in subsection B of this section shall be computed by direct measurement from the nearest building line of the land <u>not</u> used for the above purposes to the nearest portion of the building housing the Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary using a straight line.
- D. It shall be unlawful for any person to use a residential property to sell, distribute, transmit, give, dispense or otherwise provide medical marijuana as a home occupation.

E. No Facility or the activities within the Facility shall emit an odor or in any way cause a nuisance as set forth in this code.

### Section 675.210 Sign Requirements.

All signage for a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall comply with the requirements of this code. Signage is to be discrete and not obtrusive or distracting and be in compliance with the City's sign ordinance.

### Section 675.310 Required Warning to be Posted.

There shall be posted in a conspicuous location in each Facility a legible sign containing the following warnings:

- A. A warning that diversion of marijuana for nonmedical purposes is a violation of state law;
- B. a warning that the use of medical marijuana may impair a person's ability to drive a motor vehicle or operate machinery, and that it is illegal under state law to drive a motor vehicle while under the influence of or impaired by marijuana;
  - C. a warning that loitering in or around a Facility is prohibited;
- D. a warning that possession and distribution or marijuana is a violation of state and federal law;
- E. a warning that no one under eighteen (18) years of age is permitted within the Facility; and
  - F. a warning that no guns are allowed on premises except for police.

### **ARTICLE III**

### Limitation on Number, Size, Floor Plan, Hours of Operation, Sale of Alcohol, Age Restrictions

Section 675.200 There shall be no more than one of any of the following facilities: either a Medical Marijuana Dispensary Facility or a Cultivation Facility or Testing Facility or an Infused Products Manufacturing Facility, or any combination of the above; and such facility shall have no more than 2,000 square feet of floor plan and be a one story building.

### Section 675.210 Hours of Operation.

A Medical Marijuana Dispensary Facility may open no earlier than nine o'clock (9:00) A.M. and shall close no later than seven o'clock (7:00) P.M. the same day. A Medical Marijuana Dispensary Facility may be open seven (7) days a week.

### Section 675.220 Separation of Dispensing Area from Waiting Area.

The waiting area and the area of a Medical Marijuana Dispensary Facility where marijuana or marijuana-infused products are physically delivered to a qualifying patient or primary caregiver shall be separated by a solid wall and solid door so that persons in the waiting area are obstructed from observing the delivery of the marijuana-infused products to the qualifying patient or primary caregiver.

### Section 675.230 Display of Marijuana

No marijuana or marijuana-infused product shall be displayed so as to be visible through glass, windows, or doors by a person of normal visual acuity standing at the outside perimeter of a Facility No cannabis/marijuana enhanced food, candy or drink can be sold without FDA approvals of the product. No cannabis/marijuana enhanced food, candy or drink can be manufactured in the City.

### Section 675.240 Sale of Alcohol Prohibited.

The sale or consumption of alcohol within a Facility is prohibited.

### Section 675.250 Age Restrictions.

No person under the age of eighteen (18) years shall be allowed in any portion of a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility, except that a qualifying patient who is under the age of eighteen years who has been emancipated a court order and a qualifying patient under the age of eighteen years when accompanied by the qualifying patient's parent or guardian. The entrance to a Facility shall be clearly and legibly posted with notice indicating that persons under the age of eighteen (18) are precluded from entering the premises.

### Section 675.260 Requirement to Display Identification Card; Failure to Exhibit Identification Card; Possession or Production of Fraudulent Identification Card.

- A. A Medical Marijuana Dispensary shall require every qualifying patient or primary caregiver to display the medical marijuana identification card or other proof of eligibility of purchase to enter the Medical Marijuana Dispensary and at the time of each purchase.
- B. It shall be unlawful for a qualifying patient or primary caregiver when in the possession of marijuana to fail to exhibit on the demand of any peace officer a medical marijuana identification car.
- C. It shall be unlawful for any person to possess, produce, manufacture, sell, or otherwise distribute a fraudulent document, photocopy, or image displayed on a mobile electronic device intended to serve as a medical marijuana identification card.
- D. Background check for all employees. No drug related convicted employees allowed. No positive drug tested employees allowed. Medical marijuana sales only by prescription from a licensed physician and filled at a licensed pharmacy.

### **ARTICLE IV**

### Packaging and Limitations on Quantity Dispensed

### Section 675.300 Packaging and Limitations on Quantity Dispensed.

A Medical Marijuana Dispensary Facility shall not dispense more than four (4) ounces of a usable form of medical marijuana per patient in a thirty day period, except as otherwise allowed by law [Art, 2m sec 3(13)]. All marijuana sold or otherwise distributed shall be in a sealed container. Such packaging shall have a label that indicates the quantity and advises the purchaser that the marijuana is intended for use solely by the patient, and that any resale or redistribution to any third person is a criminal violation.

#### **ARTICLE V**

#### On Site Consumption or Cultivation, Sale of Paraphernalia; Disposal

#### Section 675.400 On Site or Public Consumption.

It shall be unlawful to consume, inhale or personally use marijuana or medical marijuana-infused products on or within the premises of a Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility, Medical Marijuana Dispensary Facility, or in a public place, except that a Medical Marijuana Testing Facility may consume marijuana during the testing process and only as the consumption relates to the testing process. A surveillance camera shall be operable at all times to insure compliance with this and other requirements of this Ordinance.

#### Section 675.410 On Site Cultivation.

The growing or cultivation of marijuana on the premises of a Medical Marijuana-Infused Products Manufacturing Facility, Medical Marijuana Testing Facility or Medical Marijuana Dispensary Facility is prohibited.

#### Section 675.420 Sale of Paraphernalia.

Paraphernalia as defined in section 195.010(17) (1)a through (1)f, excluding (1) of the Revised Statutes of Missouri, as may be amended, may lawfully be sold at a Medical Marijuana Dispensary Facility. Such items may not be publicly displayed and may be sold, displayed and provided only to patients or primary caregivers of patients.

#### Section 675.430 Disposal of Marijuana and Marijuana Infused Products.

No person shall dispose of marijuana or marijuana-infused products in an unsecured waste receptacle not in possession or control of a licensee and designed to prohibit unauthorized access.

**ARTICLE VI** 

Security

- A. A Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, Medical Marijuana-Infused Products Manufacturing Facility or Medical Marijuana Dispensary Facility shall provide adequate security on the premises including but not limited to the following:
- 1. Surveillance. Security surveillance cameras installed to monitor each entrance to the Facility along with the interior and exterior of the premises to discourage and to facilitate the reporting and investigation of criminal acts and nuisance activities occurring at the premises. Security video shall be preserved for at least ninety (90) days, and be made available to law enforcement officers upon demand and without a search warrant.
- 2. Inventory. All salable inventory of marijuana must be kept and stored in a secured, locked manner.
- 3. Safe. A locking safe or secure vault permanently affixed or built into the premises to store any currency on site. Marijuana, including plants, and marijuana-infused products shall be secured in a safe or vault permanently affixed or built into the premises. The building will be designed to prevent vehicle crash and grab thefts.
- 4. Lighting. Exterior lighting that illuminates the exterior walls of the Facility premises but is otherwise discrete and not obtrusive or distracting.
- 5. Alarm System. Professionally monitored robbery alarm and burglary alarm systems shall be installed and maintained in good working condition within the Facility at all times.
- 6. Emergency Contact. Each Facility shall provide the chief of police with the name, cellular telephone number, electronic mail address, and facsimile number of an on-site Facility employee to whom the City may provide notice of any operating problems associated with the Facility. It shall be the responsibility of the Licensee to keep up to date the contact information of the Facility employee.
- 7. Access. Only an employee, qualified patient or primary caregiver shall be permitted in a Medical Marijuana Dispensary Facility.

#### **ARTICLE VII**

#### Recordkeeping

#### Section 675.600 Ledger Required.

A. A Medical Marijuana Dispensary Facility shall keep a ledger, for three (3) years from the creation of the record, which shall record the following information, and which shall be made available to the city upon demand:

describe the ventilation system for the premises. Appropriate ventilation systems to prevent any odor or marijuana of fumes leaving the premises of a Facility or other changes to a Facility may be required to abate a public nuisance. No Facility shall emit any odor of marijuana which is capable of being smelled by a person of ordinary senses outside the boundary of the lot on which the Facility is located.

- 6. Product and Service Description. A description of the products and services to be provided by the Facility.
  - 7. Employee List. A list of all employees of the Facility.

#### **ARTICLE IX**

#### Licenses, Fees and Taxes

#### Section 675.800 Business License Required; Penalty for Noncompliance.

Each Facility shall at all times possess a current City business license. By obtaining a City business license, the Facility Licensee irrevocably consents to the immediate closure and cessation of operation of the Facility in addition to all other penalties or remedies available by law for the failure to process a current City business license.

#### Section 675.810 Fees and Taxes.

At all times, a Facility Licensee shall remain current and not delinquent on any real or personal property tax, sales tax or fee.

#### Section 675.820 Sales Taxes.

Each Medical Marijuana Dispensary Facility shall pay sales tax on all medical marijuana, and other tangible personal property sold at the Facility.

#### **ARTICLE X**

Administration, Enforcement, Violations and Penalties

#### Section 675,900 Administration and Enforcement.

The <u>City's law enforcement officer</u> shall be responsible for administering and enforcement of this <u>Ordinance</u>. The <u>law enforcement officer</u> is authorized to inspect any Facility to determine compliance with this <u>Ordinance</u>.

#### Section 675.910 Penalty; Revocation of Business License.

- A. It shall be unlawful for any person to violate any of the provisions of this Ordinance. Upon conviction thereof, such persona shall be fined up to the statutory maximum fine as provided by Missouri law for a municipal ordinance violation (\$500.00) or be punished by imprisonment (90 days) as provided by Missouri law for a municipal ordinance violation or be punished by both such fine and imprisonment. Each day's violation of or failure, refusal or neglect to comply with any provision of this Ordinance shall constitute a separate and distinct offense. The penalties provided in this Section are cumulative and in addition to and are separate from any civil action to enforce this Ordinance.
- B. Violation of any provision of this <u>ordinance</u> by a Licensee shall result in forfeiture of the Licensee's City business license.

#### Section 675.920 Injunction.

With or without the initiation of criminal prosecution or any other legal proceedings, the City may apply to the appropriate court for injunctive relief, which would require the correction or abatement of any violation of this <u>Ordinance</u>. The initiation or exhaustion of one (1) of these enforcement proceedings shall not be a prerequisite to the initiation of any other of these enforcement proceedings. Different types of enforcement proceedings may be pursued concurrently.

#### Section 675.930 Conflicting Law.

All ordinances, codes, regulations and orders or parts thereof in conflict with the provisions of this Ordinance shall not apply.

Section 675.940 No Waiver Of Governmental Immunity.

In adopting this <u>ordinance</u> the Board of Aldermen is relying on and does not waiver or intend to waive any of the monetary limitations or any other rights, immunities and protections provided by the Sections 537.600 and 537.610 RSMo., as from time to time amended, or any other limitation, right, immunity, or protection otherwise available to the City, its officers or its employees.

#### Section 675.950 No City Liability.

By accepting a business license, the Facility Licensee releases the City, its officers, elected officials, employees, attorneys and agents from any liability for injuries, damages or liabilities of any kind that may result from any arrest or prosecution of Facility owners, operator, employees, clients or customers for a violation of city, state or federal laws, rules or regulations. The City Clerk may require a Facility Licensee to execut4e a written instrument confirming the provisions of this Ordinance.

#### Section 675.960 Indemnification of City.

By accepting a business license, a Facility Licensee, jointly and severally, if more than one, agrees to indemnify and defend the city, its officers, elected officials, employees, attorneys, agents, and insurers against all liability, claims and demands, on account of injury, loss or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever which arise out of or are in any manner connected with the operation of a Facility that is the subject of Amendment 2. The Facility Licensee further agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at its own expenses, and to bear all other costs and expenses related thereto, including court costs and attorney fees. The <u>City Clerk</u> may require a licensee to execute a written instrument confirming the provisions of this <u>Ordinance</u>.

#### Section 675.970 Other Laws Remain Applicable.

Section 675.980 Severability.

Attest:

CITY CLERK

The provisions of this ordinance do not protect Facility Licensees, operators, employees, customers and clients of a Facility from prosecution pursuant to any laws that may prohibit cultivation, sales, use or possession of controlled substances. In addition, as of the date of the adoption of this chapter the cultivation, sale, possession, distribution and use of marijuana remain violations of federal and state law (except for conduct covered by Amendment 2), and this chapter affords no protection against prosecution under such federal and state laws. Licensees, operators, employees, customers and clients of a Facility assume any and all risk and any and all liability arising or resulting from the operation of a Facility under any city, state or federal law. Further, to the greatest extent permitted by law, any actions taken under the provisions of this chapter by any public officer or officers, elected or appointed officials, employees, attorneys and agents of the City shall not become a personal liability of such person of the City.

It is hereby declared to be the intention of the Board of

Aldermen that the sections, paragraphs, sentences, clauses and phrases of this chapter are severable, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the Board of Aldermen without the incorporation in this chapter of any such unconstitutional phrase, clause, sentence, paragraph or section. Section 675.990 That this Ordinance shall be in full force and effect upon its enactment and approval. The vote upon the aforesaid bill, being deemed an emergency by the Board of Aldermen, the Board does hereby waive and dispense with the tabling procedure as set forth in Ordinance and does hereby authorize the reading of the above bill at a regular or special meeting and a vote thereon immediately following said reading. READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMAN OF THE CITY OF WELDON SPRING, MISSOURI. THIS DAY OF , 2019 AT A REGULARLY SCHEDULED BOARD MEETING. Attest: CITY CLERK MAYOR APPROVED BY THE MAYOR OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_\_\_\_, 2019.

MAYOR

<b>BILL</b>	NO.	1	123

	ORDINA:	NCE NO.	
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Whereas, Roderick Real Estate has submitted an application for a major site plan located at 820 O'Fallon Road, which is zoned Light Industrial (LI) to erect a Clarifier Manufacturing Building; and

Whereas, Clarifier Manufacturing Building Major Site Plan has been reviewed by the City Engineer, City Planner, Zoning Commissioner, and Planning and Zoning Commission at a duly called public meeting on May 6<sup>th</sup>, 2019 and is now submitted to this Board of Aldermen for approval.

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

SECTION 1: That Roderick Real Estate has provided the City of Weldon Spring, Missouri, with the proper plans and documentation, which have been received by the City Staff, Mayor, and Board of Aldermen.

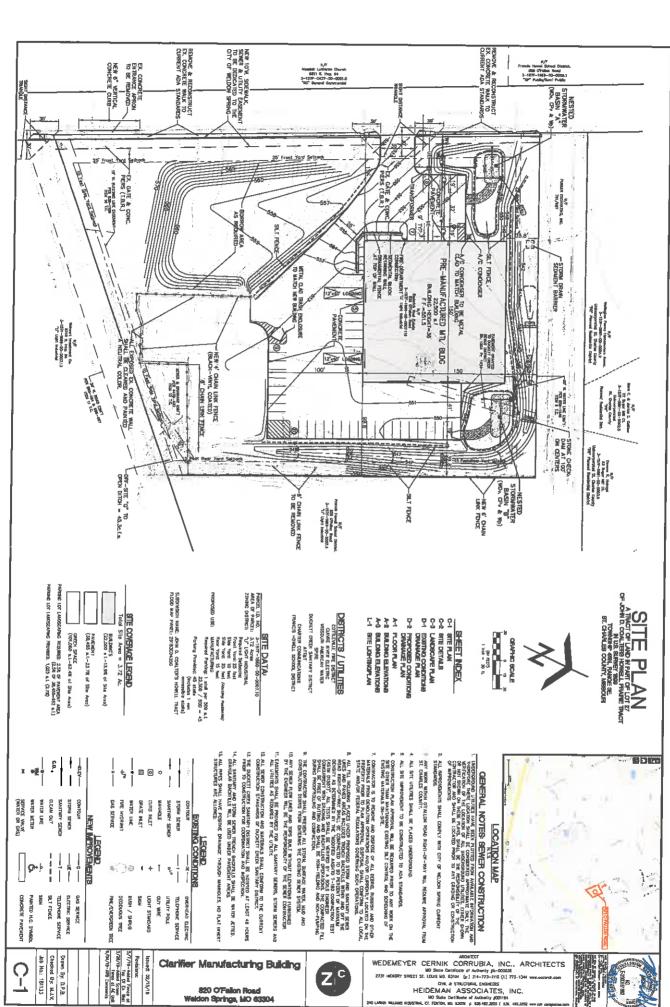
<u>SECTION 2:</u> That the City Planning and Zoning Commission has reviewed, and recommended approval of the major site plan submitted by Roderick Real Estate subject to the following condition:

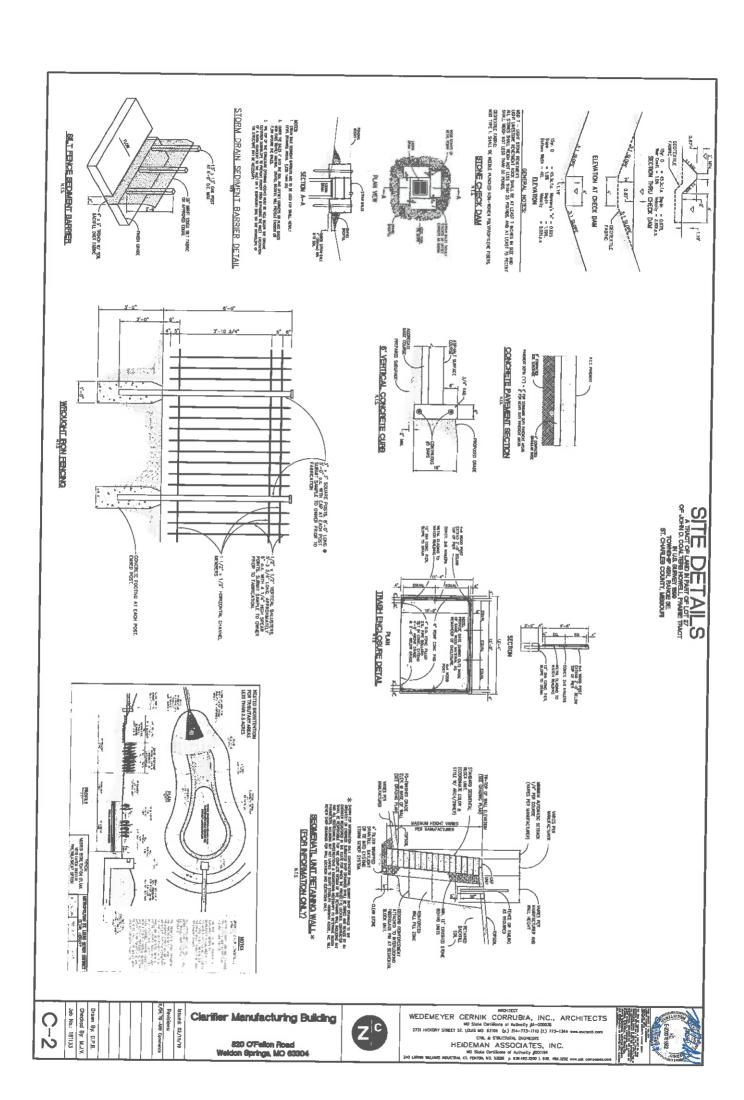
1. A four (4) foot chain link fence must be installed on top of the existing retaining wall and landscaping must be provided in front of the fence, facing the new sidewalk to the west.

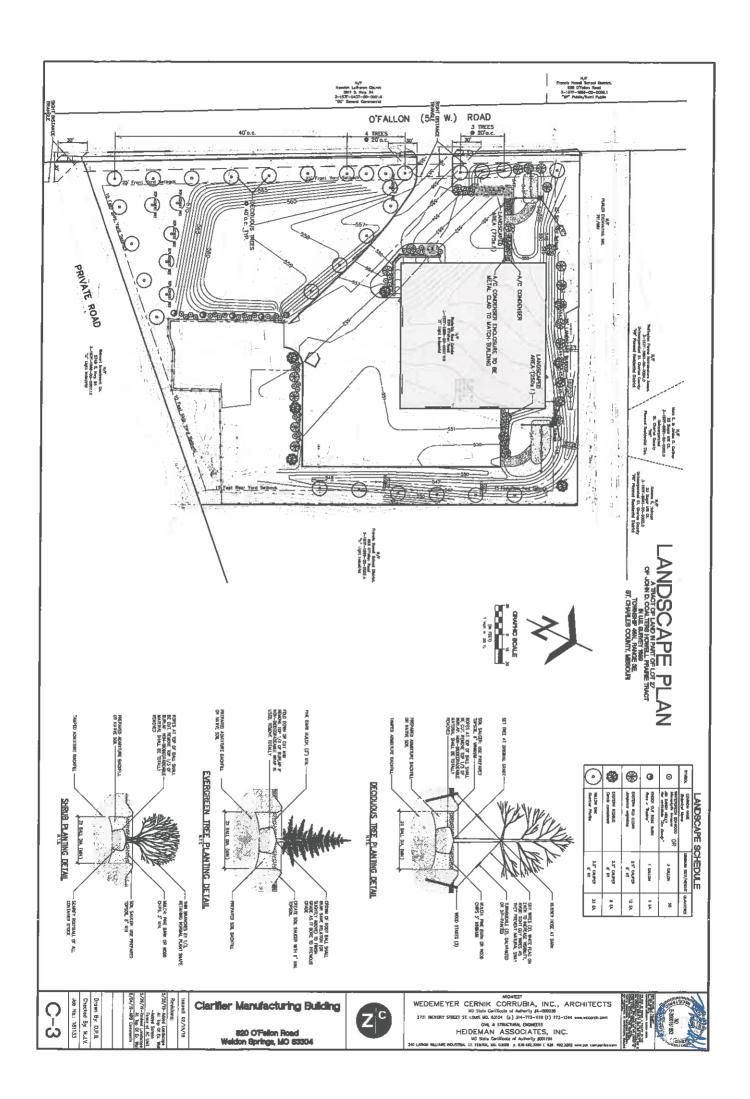
<u>SECTION 3:</u> The Board of Alderman after its review, and subject to the 1 condition set forth above, hereby approves the Clarifier Manufacturing Building major site plan for Roderick Real Estate and hereby authorize the Zoning Commissioner to sign and approve the site plan of 820 O'Fallon Road.

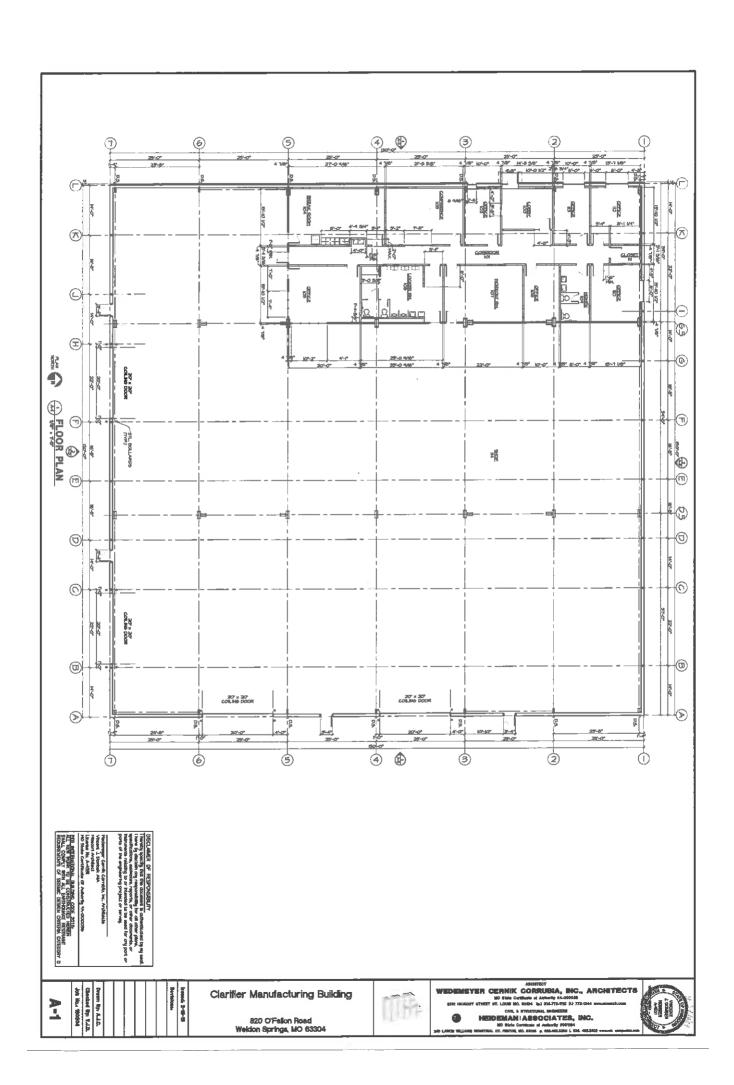
<u>SECTION 4:</u> That this ordinance shall be in full force and effect upon its enactment and Approval.

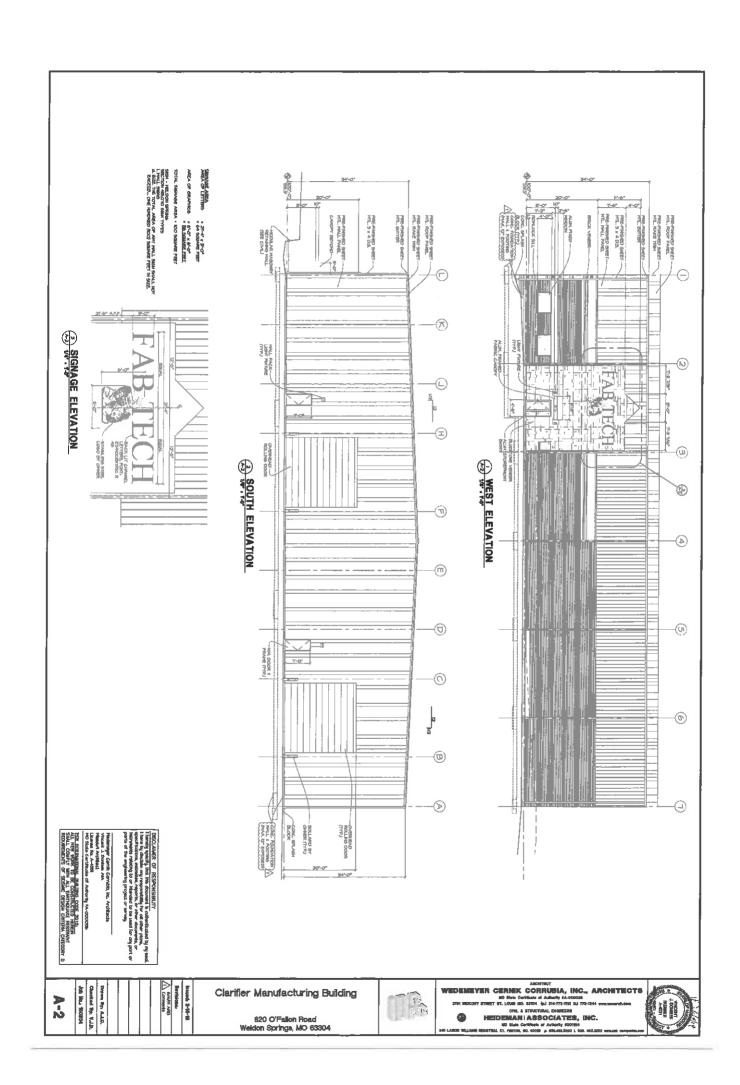
READ TWO	O TIMES AN SPRING, MI	D PASSED BY T SSOURI, THIS_	HE BOARD OF ALDEI DAY OF	RMEN OF THE CITY OF , 201
				fficer/Mayor
Attest:				
Wil	liam C. Hanl	cs, City Clerk		
		MAYOR OF THE	E CITY OF WELDON S	SPRING THIS
		Don	ald D. Licklider, Mayor	
Attest:	liam C. Hank	s, City Clerk		
To approve	Bill #1123			
Motioned: _ Seconded: _				
	Aye	Nay	Abstention	
Clutter Hillmer Schwaab Kolb Martiszus Baker Licklider				
Absent:				











中國心 PRE-PINSHED SHEET MTL. 5 x 4 D.S. MIL NACE 18M HULL ONLING PRE-PRESHED SHEET -MUL MOOK PANEL HUT HATT LYNET HIL 5 x 4 D.S. HITT ROOM PAREL (11) @ NORTH ELEVATION EAST ELEVATION 0 (D) (U) (TF) 4 (B) **@** (W) CALALL PACK (V) (A) (F) 0 PRE-PROBLED 5" 1 4 MIL. SUTTER Revisions

Authority

Authority MEYER CERRIK CORRUBIA, BIC., ARCHITECTS

10 9th Confesse & Alburty AL-20008

4000M ETHER TH. LORG NO. 1950 [c] 161-75-190 (c) 78-1844 www.vocarch.com

CV. 1 THICKITELL MINISTERS

HERDEMAN ASSOCIATES, BIC.

100 1016 CHEMINE of Alburty (4019) Clarifier Manufacturing Building TA A-3 820 O'Fallon Road Weldon Springs, MO 63304

#### **City Clerk**

From:

**Zoning Commissioner** 

Sent:

Friday, May 31, 2019 2:46 PM

To:

City Clerk

**Subject:** 

ARC Approval Industrial Building at 820 O'Fallon Road

Bill,

Please find listed below the various approvals from the Architectural Review Commission that may need to be addressed on the site plan:

- 1. Siding will be brought down on the rear of the building so that no area over 12 inches above grade level will be left exposed or unfinished.
- 2. A 4 foot black vinyl chain link fence will be placed on top of the existing retaining wall.
- 3. Holly and Knock Out Rose bushes will be planted in front of the 4 foot black vinyl chain link fence.
- 4. Five foot of dirt will be removed from the front of the existing retaining wall.
- 5. Both the mechanical equipment and trash receptacle shall be enclosed with the same siding as utilized on the building.

In addition the existing retaining wall is to be power washed and painted which will eliminate the existing graffiti. I will also need to approve the color for the downspouts which is currently proposed as Aztec Blue.

If you have any questions please let me know.

Steve Lauer Zoning Commissioner

#### **City Clerk**

From:

todd streiler <todd.streiler@gmail.com>

Sent:

Thursday, May 30, 2019 12:20 PM

To:

City Clerk

Cc:

**Zoning Commissioner** 

Subject:

820 O'Fallon Road- Revised Landscape Plan

Bill,

Attached please find the revised landscape plan showing Holly and Knock Out Rose bushes in front of the fence proposed along the existing retaining wall.

Please let me know if you need anything else for tonight's ARC meeting.

Todd

Todd M. Streiler, AICP, LEED AP STREILER PLANNING, LLC todd.streiler@gmail.com 314.322.4221

BILL NO.	ORDINANCE NO.

\*\*\*\*\*\*\*\*\*\*\*\*

AN ORDINANCE REPEALING SECTION 605.030 (ORDINANCE #94-38), KNOWN AS SOLICITATION OF PRIVATE RESIDENCES, IN ITS ENTIRELY AND ENACTING IN ITS PLACE A NEW SECTION 605.030 AND MATTERS RELATING THERETO

Whereas, the Board of Aldermen of the City of Weldon Spring, Missouri, desires to repeal Ordinance #94.38 and update Section 605.030 of City Code, known as "Solicitation of Private Residence"; and

Whereas, the Board of Aldermen of the City of Weldon Spring, Missouri, realize that it is necessary to increase fees to offset any administrative cost incurred for processing solicitation licenses; and

Whereas, the Board of Aldermen of the City of Weldon Spring, Missouri, has a duty to better protect their citizens by requiring any applicant to agree to a criminal background from the State of Missouri Highway Patrol.

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

<u>SECTION 1:</u> That Section 605.030 of City Code, which was approve with the passage of Ordinance #94-38 shall be replaced as follow:

- A. Statutory Authority. Missouri Cities of the Fourth Class, Weldon Spring being such, have the authority pursuant to Section 71.780, RSMo., to regulate and suppress all nuisances which are or may be injurious to the health and welfare of the residents of the City.
- B. Purpose. The Board of Aldermen of the City of Weldon Spring believe that the uninvited solicitation of private residences within the City constitutes a public nuisance which if not closely regulated would be injurious to the public health and welfare of the residents of the City.
- C. Solicitor's License Required.
  - 1. No person shall act as solicitor within the City without first obtaining an identification card with the City Clerk. The identification card must be visible by the solicitor for the purpose of reassuring City residents that the solicitor has a solicitor license.
  - 2. An applicant for a solicitor's license shall provide the following to the City:

- a. The name of the applicant.
- b. The permanent home address and telephone number and full local address and telephone number of the applicant.
- c. A brief description of the nature of the business and the goods and items solicited and a copy of any sales flyers or literature
- d. The name, address and phone number of the employer, organization or company represented.
- e. The place the goods, wares or merchandise will be sold.
- f. Missouri sales tax number or a letter from the Department of Revenue stating registration with the Department of Revenue is not required.
- g. Apply at least twenty-four (24) hours prior to issuance of the license.
- h. Complete the necessary authorization form to conduct a criminal background with State of Missouri Highway Patrol. Complete the necessary authorization form to conduct a criminal background with State of Missouri Highway Patrol.
- i. Such other information as the City may require.

#### D. License Fee

- 1. The fee provisions of this Section shall not apply to not-for-profit solicitors upon presentation of proof of not-for-profit *(i.e. boy scouts, girl scouts, and church groups)* status; however, they must register with the City Clerk and obtain a license.
- 2. <u>The solicitor's license fee shall be twenty-five (\$25.00) per application.</u> The duration of each license shall be a maximum of seven (7) days or one (1) week.
- 3. Solicitor's license renewal fee shall be twelve (\$12.00) per application. Renewal license application shall be valid within one year of the initial application.
- E. Solicitation Without A License Prohibited,

1. It shall be unlawful for any person to go upon private residences in the City of Weldon Spring or door-to-door in order to sell any type of merchandise or to seek donations therefrom without having first obtained a solicitor's license from the City Clerk. The license and a separate means of identification with a photograph must be carried at all times when soliciting and displayed upon request.

## Hours Solicitation Authorized. It is only lawful for anyone to solicit any private residence from 8:00 AM to sunset.

- F. <u>Unlawful Activities</u>. The following acts and practices are hereby declared unlawful as applied to the planning, conduct or execution of any solicitation by the solicitor.
  - 1. Operating in violation of or failing to comply with any of the requirements of this Section.
  - 2. Utilizing any unfair or deceptive acts or practices.
  - 3. Misrepresenting or misleading anyone in any manner to believe that any other person sponsors, endorses or approves such solicitations when such other person has not given consent in writing to the use of his/her or its name for these purposes.
  - 4. Utilizing or exploiting the fact of registration or licensing in any manner constitutes an endorsement or approval by the City.
  - 5. Soliciting door to door between the hours of sunset to 8:00 AM.
- G. Enforcement. The St. Charles County Chief of Police or his/her deputy is hereby directed to abate and suppress any solicitors who become a nuisance due to complaints being made by citizens or violations of this or other ordinances observed by the City of Weldon Spring or the St. Charles County Sheriff's Department. In such cases the solicitor's license and the privilege of soliciting is subject to immediate cancellation by the St. Charles County Chief of Police or his/her deputy.
- H. Violation and Penalty. Any person found to be in violation of any provision of this Section shall be subject to arrest by the St. Charles County Sheriff's Department and upon conviction fined up to five hundred dollars (\$500.00) or to imprisonment for up to ninety (90) days in the St. Charles County Jail, or to both such fine and imprisonment. Each day of such violation shall constitute a separate offense

SECTION 2: That this ordinance shall be in full force and effect upon its enactment and Approval.

READ TWO WELDON	O TIMES AN SPRING, M	ID PASSED BY T ISSOURI, THIS_	THE BOARD OF ALD DAY OF	ERMEN OF THE CITY OF , 201
		_	Presiding	Officer/Mayor
Attest:				
Wil	liam C. Han	ks, City Clerk		
			E CITY OF WELDON , 2019.	SPRING THIS
		Do	nald D. Licklider, May	or
Attest:				
Will	liam C. Hanl	ks, City Clerk		
To approve	Bill			
Motioned: _ Seconded: _				
	Aye	Nay	Abstention	
Clutter	-			
Hillmer Schwaab				
Kolb	_			
Martiszus				
Baker				
Licklider				

Absent:	



### CITY OF WELDON SPRING

5401 Independence Road Weldon Spring, MO 63304 phone: (636) 441-2110

fax: (636) 441-8495 www.weldonspring.org

Date: 05/02/2019

## STAFF REPORT

To: Planning & Zoning Commission

From: City of Weldon Spring Staff

Subject: 94 Bait Shop CUP Request for a Vap. Shop

Cc: Mayor Don Licklider, City Administrator Michael Padella, City Clerk, Bill Hanks, Plan

Commissioner Steve Lauer, City Engineer Mike Meiners & City Attorney Bob Wohler

Staff has reviewed an application submitted by "94 Bait Shop LLC" requesting a Conditional Use Permit (CUP) to allow a Vap Shop at 6301 Weldon Springs Road (formally the Bait Shop) for compliance with the City's Zoning Regulations and present the following report for your review and consideration.

#### **BACKGROUND:**

The subject site, known as the "Bait Shop", has been in operation for decades serving a unique mix of retail products. While originally a live bait and tackle shop, over the years, the business become better known as a "head shop" that offered a wide range of tobacco, vapor and related products and paraphernalia. In a three (3) year span from January 2010 to December 2012, the local authorities were dispatched to the location over 100 times, according to the St. Charles County Sheriff's Department. On December 8<sup>th</sup>, 2011, police raided the "South 94 Bait Tackle and Smoke Shop" and seized a number of items. In 2016, the owner was sentenced to 12.5 years in federal prison for tax evasion and her role in a conspiracy to make and sell illegal narcotics including bath salts and other synthetic illegal drugs. Live bait, fishing tackle, tobacco and vap supplies continued to be sold at the location until 2018.

The petitioner, serving as or acting on behalf of the owner, has submitted a Conditional Use Permit Application for a business that will include over 50% of gross floor area devoted to vap or vap related products.

#### REGULATORY COMPLIANCE SUMMARY

1) According to Section 405.173 F. "Cessation of Non-Conformities. Any non-conforming use of land, structure or an establishment having a site-related non-conformity which ceases operation for a continuous period of ninety (90) days or more or if a non-conforming structure is removed for a continuous period of ninety (90) days or more, all non-conformities shall be considered terminated and shall not thereafter be re-established."

As mentioned in the Background Summary, the subject location and building has a long history of operating as a live bait, tackle and head shop which predated the City's zoning regulations and therefore was being operated as a legally-non-conforming use. Since the business ceased operation for a continuous period of ninety (90) days or more, the legally non-conforming status no longer applies to the previous use of the property.

2) According to the City's Zoning Code, Vaporizer (Vap) / Electronic (E)-Cigarette Stores are defined as: A business establishment for which more than 50% of the gross floor area is dedicated to the storage, mixing, display and/or retail sale of electronic cigarette devices, Juul pods and other similar vaporizers, nicotine-enriched solutions and/or liquid products that are manufactured for use with e-cigarettes.

The legally non-conforming status of the use of the Bait Shop has been terminated, therefore, the proposed use was reviewed and determined to be classified as a *Vaporizer (Vap) / Electronic (E)-Cigarette Store* since over 50% (approximately 56-60%) of the gross floor area is dedicated to the storage, mixing, display or retail sale of electronic cigarette devices, Juul pods and other similar vaporizers, nicotine-enriched solutions and/or liquid products that are manufactured for use with e-cigarette.

- 3) According to Section 405.188, the following restrictions apply:
  - A. No tobacco, hookah, or vapor/electronic cigarette stores, bars, or lounges shall be permitted within seven hundred fifty (750) feet of any property zoned and/or used for residential, eleemosynary, religious, school, or public use. Such distance shall be measured in a straight line without regard to intervening properties from the closest exterior structural wall of the establishment to the closest point on any property line of a residence, eleemosynary use, religious institution, school, public building or public park.

The proposed location is within 750' from a church. Emmanuel United Church is located just over 500' from the Bait Shop.

B. No tobacco, hookah, or vapor/electronic cigarette store, bar, or lounge shall be allowed to locate or expand within seven hundred fifty (750) feet of any other such business or establishment. The distance between any two (2) such stores or similar use shall be measured in a straight line without regard to intervening structures from the closest exterior structural wall of each business.

There are no known vap. shops or other such business located in the vicinity of the subject location.

- C. Off-street parking shall be provided pursuant to the City Code, which includes the following requirements.
  - 1. Provide six (6) parking spaces per one thousand (1,000) square feet of floor area.
  - 2. Driveways and parking pads shall be constructed of one (1) of the following
    - a) Four (4) inches of asphaltic concrete on four (4) inches of aggregate on properly compacted subgrade, or
    - b) Four (4) inches of Portland cement concrete on four (4) inches of aggregate on properly compacted subgrade, or

- c) Paver stones on properly compacted subgrade, or
- d) Any other, suitable paving material approved by the Architectural Review Committee.
- 3. All parking spaces shall be marked by durable painted lines at least four (4) inches wide and extending the length of the space or by curbs or other means to indicate individual spaces. Handicapped parking spaces shall be identified through the use of light blue painted lines. Signs or markers located on the surface within a parking facility shall be used as necessary to ensure efficient and safe traffic operation of the facility.
- 4. Handicapped parking shall be provided in accordance with the requirements of the Americans with Disabilities Act (ADA) of 1990 including provisions of the Act which were effective as of January 26, 1992.
- D. Lighting of the parking area shall conform to the requirements of the City Code.

Generally, lighting shall not cast onto adjacent properties or rights of way and be in accordance section 425.050.

4) According to the "GC" General Commercial District regulations (in Appendix A), Vaporizer (Vap.) / Electronic (E)-Cigarette Stores are permitted as a Conditional Use. In accordance with Article IX: Conditional Use Regulations, notice of the public hearing was made in a local newspaper with general circulation and mailed to all owners within 500' of the subject site on April 26th, 2019, and public hearings were scheduled for the May 6th 2019 Planning Commission Meeting and the May 14th 2019 Board of Aldermen Meeting.

After the public hearing, the Planning and Zoning Commission shall review the application based on evidence presented during the public hearing. Consideration should also be given to the effect of the requested use on the health, safety, morals and general welfare of the residents of the area in the vicinity of the property in question and the residents of the City generally.

The Planning and Zoning Commission shall also consider the following standards and ensure the Commission's response to each is in the affirmative.

- 1. Whether the proposed conditional use is consistent with the City's Comprehensive Plan and will not impede normal orderly development of the neighborhood.
  - Yes. The Comprehensive Plan designates the subject site as "Old Town" and recommends smaller, less intense commercial uses, including retail sales and services with limited outdoor display of merchandise and restaurants with al fresco dining and outdoor gathering areas in the Old Town. Any change in zoning of parcels designated "Old Town" should be rezoned to either the City's Planned Residential "PR" or Planned Commercial "PC"
- 2. The compatibility with surrounding uses and compatibility with the surrounding neighborhood, including any substantial impact on property values.
  - No. The site has been occupied and used by similar businesses in the past; however, the building and site show signs of wear and deferred maintenance which makes it less compatible with the surrounding uses. Additionally, the frequency and severity of criminal

- activity, allegedly or convicted, creates an element that generally negatively impacts property values and contributes to the lack compatibility with adjacent uses.
- The comparative size, floor area, mass and general appearance of the proposed structure in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.
  - Yes. The building is small and predates the adjacent structures.
- 4. The amount of traffic movements generated by the proposed use and the relationship to the amount of traffic on abutting streets and on minor streets in the surrounding neighborhood in terms of the street's capacity to absorb the additional traffic and any significant increase in hourly or daily traffic levels.
  - **Yes**. The building is too small to house a business or use capable of generating traffic that would exceed the capacity of the abutting streets.
- 5. The added noise level created by activities associated with the proposed use and the impact of the ambient noise level of the surrounding area and neighborhood.
  - **Yes.** The use would be housed completely inside the building and no residential zoned property abuts the property. Some ambient noise would be generated in the parking lot; however, noise levels would not be anticipated to create a nuisance.
- 6. The impact of night lighting in terms of intensity, duration and frequency of use as it impacts adjacent properties and in terms of presence in the neighborhood.
  - Yes. Lighting would be restricted to not create a negative impact on adjacent properties.
- 7. The impact of the landscaping of the proposed use in terms of landscaped areas, buffers and screens.
  - **Yes.** The site, building and parking areas are too small to generate a measurable impact on the adjacent properties.
- 8. The potential for the proposed use to remain in existence for a reasonable period of time and not become vacant or unused. Consideration should also be given to unusual single purpose structures or components of a more temporary nature.
  - **No.** Although a similar use has been in existence for a reasonable period of time at the subject location, the positive correlation between criminal activity and the use has caused the previous business to cease to exist and the City to generate regulations that prohibit such uses from being 750' from a church, school, non-for profit, or residential area.
- 9. Whether there are any facilities near the proposed use (such as schools or hospitals) that require special protection.
  - **No.** Emmanuel United Church is located just over 500' from the Bait Shop. The City's Zoning Code requires vap shops from being 750' from a church.

According to Article IX, No conditional use permit shall be recommended by the Commission if the written findings of fact do not respond favorably to each of the aforementioned standards or if the proposed conditional use permit does not meet the applicable zoning restrictions identified in Comment #3.

#### **ACTION**

After considering the evidence provided during the public hearing, the opinions of law, and findings of fact, the Planning Commission shall make a motion to approve, approve with conditions or deny the Conditional Use Request. A written description responding to each of the nine (9) finding of fact shall be provided and referenced in the Planning Commission's motion.

The Planning Commission shall provide their report and recommendation to the Board within ninety (90) days of the close of the Public Hearing. If the Planning and Zoning Commission fails to file said report and recommendation with the Board of Aldermen within ninety (90) days, the application shall be forwarded to the Board of Aldermen with a favorable recommendation.



# BAIT SHOP

Hello,

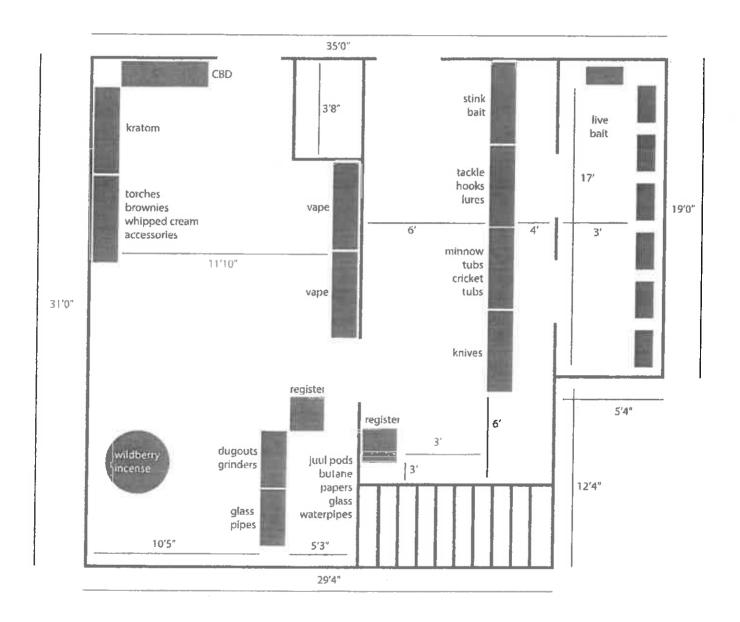
We are looking to reopen The Bait Shop. We are in no way affiliated with the previous owners. There will be absolutely no sales of synthetic drugs. We will not be selling anything Illegal. The building will look as presentable as possible with further improvements already planned. The building is old, but we have already taken steps to make the building look better. Our staff is knowledgeable, polite, and professional.

Included you will find a proposed floor plan of the store as well as a list of products we will carry. The bait area of the store will be kept entirely separate from the smoke shop area. We currently have four other stores throughout the Greater Saint Louis and surrounding counties, each of them is in good standing with their respective city.

Please contact us as needed in regards to the floor proposal and intended product list.

Regards,
Lynn Cotton
Executive







## PROPOSED NEW/AMENDING LEGISLATION REQUEST FORM

DATE: 5/17/2019
PERSON OR PARTY REQUESTING BILL:
powder monkey FIREWORKS Inc, by Christopher Sander, President, (314) 805-0725, cvsander@msn.com
ALDERMANIC SPONSOR:
REASON/PURPOSE OF THE BILL:
leview local ordinances and propose The City of Weldon Spring, MO amend seasonal retail fireworks ales dates to June 20-July 7 in 2019.
ILL TITLE AND/OR REFERENCE TO EXISTING ORDINANCE OR STATE STATUTE RELATED TO THE ROPOSED BILL:
ee list A through M below.

B. City of Weldon Spring, MO Ord. No. 16-13 § 7, 7-28-2016 permits set up June 14-July 12. Propose City of Weldon Spring, MO sales June 20-July 7.

Propose City of Weldon Spring, MO sales June 20-July 7.

A. City of Weldon Spring, MO Ord. No. 09-06 § 1, 2-26-2009 permits fireworks discharge July 6.

- C. City of Weldon Spring, MO Ord. No. 16-13 § 7, 7-28-2016 removed fireworks sales June 19. <u>Propose City of Weldon Spring, MO sales June 20-July 7.</u>
- D. Missouri Revised Statutes § 320.106, Rules of Department of Public Safety, Division 40-Division of Fire Safety, Chapter 3-Fireworks, Title 11 CSR 40-3.010 Fireworks-Licensing, Permits, Sales, Inspection and Penalties, 2-28-2005 code of State Regulations explains (I) Fireworks Season, the period beginning on the twentieth day of June and continuing through the tenth day of July of the same year and the period beginning on the twentieth day of December and continuing through the second day of January of the next year, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks. <a href="Periodocology: Propose City of Weldon Spring">Propose City of Weldon Spring</a>, MO sales June 20-July 7.

- E. City of West Alton, MO permits fireworks sales year-round at Captain Jim's Fireworks at 13896 US Highway 67 since 1947. Propose City of Weldon Spring, MO sales June 20-July 7.
- F. City of Foristell, MO Ord. No. 479 § 1, 4-15-2002 permits fireworks sales (G) A conditional use permit for a temporary fireworks stand shall not be valid for more than sixty (60) calendar days and shall not be effective prior to May sixth (6<sup>th</sup>) of each year nor be effective after July eighth (8<sup>th</sup>) of each year. Propose City of Weldon Spring, MO sales June 20-July 7.
- G. City of Wright City, MO Ord. No. 729 § 1, 11-9-2010 permits (G) A conditional use permit for a temporary fireworks stand shall not be valid for more than 60 days and shall not be effective prior to May sixth (6<sup>th</sup>) of each year, nor be effective after July tenth (10<sup>th</sup>) of each year. Sales are restricted to dates from June twentieth (20<sup>th</sup>) to July tenth (10<sup>th</sup>). Dates of sales shall not exceed State Statutes. Propose City of Weldon Spring, MO sales June 20-July 7.
- H. City of New Melle, MO Ord. No. 400 § 620.020, 6-13-2017 permits (D) Stands shall not be set up prior to the last day of New Melle Festival. There shall be no sale of fireworks prior to or after the dates set by the State of Missouri. Stands must be completely removed prior to July twelfth (12<sup>th</sup>) of each year. Propose City of Weldon Spring, MO sales June 20-July 7.
- City of Dardenne Prairie, MO Ord. No. 1859, 5-17-2017 permits (14) Retail sales of fireworks from fifteen (15) days prior (on June 20<sup>th</sup>) through five (5) days after July 4 (on July 9<sup>th</sup>) of every year. All temporary use permits issued for fireworks stands or tents shall expire on the eighth day following July 4 of every year. Propose City of Weldon Spring, MO sales June 20-July 7.
- J. City of Cottleville, MO Ord. No. 1600 § 11, 1-18-2017 permits (Fireworks Season) the period beginning on the twentieth (20<sup>th</sup>) day of June and continuing through the fifth (5<sup>th</sup>) day of July of the same year. Notwithstanding the foregoing, should the fourth (4<sup>th</sup>) day of July in any given year fall on a Thursday or Friday, then the fireworks season for that same year shall be the period beginning on the twentieth (20<sup>th</sup>) day of June and continuing through the first Saturday after the fourth (4<sup>th</sup>) day of July of the same year at 11:00 P.M. Propose City of Weldon Spring, MO sales June 20-July 7.
- K. Unincorporated St Charles County, MO Ord. No. 12-001 § 1, 12-19-2011 permits fireworks sales
   (A) through July sixth (6<sup>th</sup>) of each year. <u>Propose City of Weldon Spring, MO sales June 20-July 7.</u>
- L. Cottleville Fire Protection District permits fireworks sales for all dates legislated by state and local ordinances. Propose City of Weldon Spring, MO sales June 20-July 7.
- M. City of Weldon Spring, MO Ord. No. 09-06 § 1, 2-26-2009 permits fireworks discharge July 2-July 6 from 12:00 P.M. noon until 11:00 P.M., propose no change to dates or hours of JULY fireworks discharge. Propose City of Weldon Spring, MO sales HOURS June 20-July 1 from 8 A.M. until 10 P.M., propose sales hours July 2-July 6 from 8 A.M. until 11 P.M., and propose sales hours July 7 from 8 A.M. until 10 P.M.

#### **ACTION REQUESTED OF STAFF/CITY OFFICIALS:**

We request and propose The City of Weldon Spring, MO City Clerk, City Administrator and Board of Alderman review the local ordinances listed above and then sponsor and amend our seasonal retail fireworks sales dates to June 20-July 7 in 2019. Attention to this proposal is requested during any of the

upcoming Board of Alderman meetings on May 23, June 11, or June 27. July 6<sup>th</sup> and 7<sup>th</sup> in 2019 are the Saturday and Sunday following a Thursday 4<sup>th</sup> of July of a four-day holiday weekend. This change would increase sales tax revenues generated at five (5) tent locations in 2019 for the benefit The City of Weldon Spring, St Charles County, and State of Missouri.

#### - FOR BOARD PRESIDENT & STAFF USE ONLY --

PRIORITY OF REQUEST
HIGH — Bill warrants immediate attention and should be presented to the Board of Alderman in next 30 days.
Medium — Bill should be pursued but may require additional information or research. Should be presented to Board of Alderman in 60 to 90 days.
Low – Bill will not be presented to the Board of Alderman at this time. Form will be put in pending file of draft bills. Additional information can be presented to change its status. If in pending file for more than one year it will be purged.
ADMINISTRATIVE ACTION: (Decision of the Board President, City Administrator, and City Clerk on the proposed bill.)
STATUS NOTES: A dated, running dialogue on what has been done on any pending request. All notes should be dated and signed by the entering party.