

CITY OF WELDON SPRING
REGULAR MEETING OF THE BOARD OF ALDERMEN
AUGUST 10, 2021

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, August 10, 2021, 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 at 7:30 PM.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

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

Ward 1:	Alderman Clutter	Alderman Yeager
Ward 2:	Alderman Schwaab	Alderman Kolb
Ward 3:	Alderman Martiszus	Alderman Baker

A quorum was declared.

PUBLIC COMMENTS: There were no public comments at this time.

PUBLIC HEARING

Consideration of a Conditional Use Permit for “Arch Nemesis Brewing” for the Purpose of Allowing a “Bar, Tavern, or Lounge” – (Microbrewery) at 5940 S. Highway 94: Mayor Licklider opened the Public Hearing. There were no public comments. Mayor Licklider closed the Public Hearing.

Mayor Licklider told the Board that the applicant withdrew his application for a Conditional Use Permit (CUP) so no decision or discussion is needed on this topic.

Consideration Municipal Code Changes in Chapter 400 pertaining to Shipping Containers, Senior Housing, Boundary Adjustment Plat, Minor Subdivision, Reimbursement of Development and Review Cost, and Public Use Donation: Mayor Licklider opened the Public Hearing. Chris Pfleger, owner of St. Louis Ball Bowlers, spoke about his concerns with the code changes regarding shipping containers. Furthermore, he voiced his frustrations about the whole process and how City’s staff handled his situation with his two shipping containers.

Note: Mr. Pfleger entire testimony was submitted into public record and attached to these approved minutes.

Mayor Licklider closed the Public Hearing.

MINUTES: July 22, 2021, Work Session Minutes - Alderman Schwaab moved to approve the minutes from the July 22, 2021, Work Session as written, seconded by Alderman Baker. **Motion carried** with 4 ayes. Alderman Clutter and Alderman Martiszus abstained from voting.

July 22, 2021, Board Minutes - Alderman Martiszus moved to approve the minutes from the July 22, 2021, regular meeting with one typographical correction, which was correcting the time of adjournment from 7:19 PM to 8:19 PM. The motion was seconded by Alderman Schwaab. **Motion carried** with 5 ayes. Alderman Clutter abstained from voting.

TREASURER'S REPORT: Alderman Schwaab made a motion to accept the Treasurer's packet of paid bills from July 16, 2021, to August 2, 2021, seconded by Alderman Yeager. **Motion carried** with 6 ayes.

OLD BUSINESS:

Facilities Conditions & Needs Assessment Consultant: After a lengthy discussion about the comparison research from other municipalities on cost estimates and the overall process of the study, it was decided that the Board will be provided all the Request for Proposals' documents for further review before making any decisions.

NEW BUSINESS:

An Ordinance Adopting the Budget for the Fiscal Year 2022 for the City of Weldon Spring, Missouri, and Matters Relating Thereto: Alderman Clutter moved to introduce Bill #1167 for its first reading by title only. Alderman Baker seconded the motion and the **motion carried**.

There was a brief discussion about the proposed FY 2022 Budget, which was reviewed by the Finance Committee and recommended for Board approval.

With the expected increase in expenditures expected on roadway maintenance and police services, the Board will need to have a discussion in the future on a need to increase revenue sources.

Bill #1167 was tabled in accordance with City Code.

An Ordinance Addressing the Inmate/Prisoner Security Fund Surcharge on Municipal Court cases in the City of Weldon Spring and matters relating thereto: Alderman Schwaab moved to introduce Bill #1168 for its first reading by title only. Alderman Clutter seconded the motion and the **motion carried**.

Bill #1168 was tabled in accordance with City Code.

Sewer NID Grinder Pump Locations Inspection and Recommendations from Flo-Systems: Alderman Baker made motion to authorize City's staff not to exceed \$23,576 in directing Flo-Systems to proceed with the recommended maintenance repairs to the 12 grinder pumps, which was located within the Weldon Spring Sewer Neighborhood Improvement Districts (NID). The motion was seconded by Alderman Martiszus. **Motion carried** with 6 ayes.

REPORTS AND COMMITTEES:

PRAC Committee: No report was given.

P & Z: Alderman Martiszus gave an update to the Board on the possible Chapter 400 Code Changes. He stated the Commission met and discussed the code changes to Chapter 400 of the municipal codes that was recommended by City's staff at a meeting earlier this month. He added that the Commission directed City staff to make significant changes to their recommendations for consideration at the next Planning & Zoning meeting, which is on September 7, 2021.

City Administrator Report: The City Administrator Report was submitted to the Board prior to the meeting.

City Attorney: Mr. Wohler (City Attorney) commented on the Inmate Security Fund and the Sheriff Retirement Fund and felt it is inappropriate for the City to collect those surcharges.

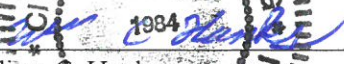
RECEIPTS & COMMUNICATIONS:

Alderman Schwaab stated that he received a complaint from a resident in Camelot Subdivision regarding parked cars stacking up on both side of street, which is causing traffic issues. Alderman Martiszus stated he continues to receive noise complaints over a loud generator on the Enterprise Campus on Technology Drive

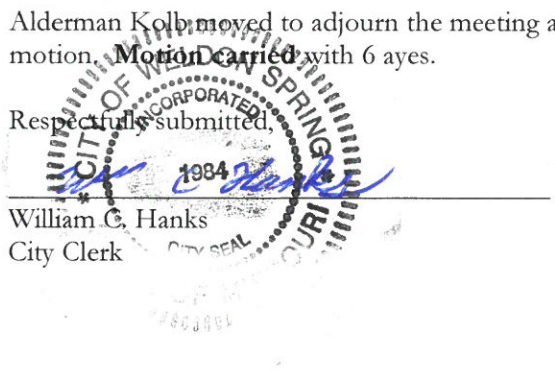
ADJOURNMENT:

Alderman Kolb moved to adjourn the meeting at 8:37 PM and Alderman Martiszus seconded the motion. ~~Motion Carried~~ with 6 ayes.

Respectfully submitted,



William C. Hanks
City Clerk



Attachment A:
Written Testimony from Chris Pfleger

5 months ago, I was visited by the City of Weldon Spring and was notified that there was a complaint about the Temporary Shipping Containers and we did not have a permit for our “temporary shipping containers”. When I asked to see the complaint, the city told me that they received the complaint from St. Charles County from whom they are hired to enforce the building codes for Weldon Spring. When I was asked about when this permit started, I was told that I was the “Guinea Pig” for everyone and that I was leading the way. I was told that I needed to fill out an application and pay a \$150.00 fee for the permit. The next day I went in to fill out a “Generic” application and pay my \$150.00. When I asked if that was it, I was told that in order to submit an application for the next Architectural Meeting, which was about 3 weeks later, that I would need a “Site Plan”. I explained to them that I only Lease the building and do not own it, so I could not do that. Both me and the City contacted the owner of the property and with great expense, was able to get one done for the city in time.

I then Contacted St. Charles County to get a copy of the complaint, they said that there were no complaints on file with them. I then went back to the city of Weldon Spring and told them that no complaint was on file. After 2 weeks of going back and forth, I was told that it was Weldon Spring that had received the complaint. I asked for a copy of it and they could not find the original complaint anymore.

I then went back to St. Charles County to ask them about getting their Application for a permit for Temporary Shipping Containers. I was told that there is no application for a permit nor was one needed.

I then went back to the City of Weldon Spring and told them what I learned, and they said that they were going to make a new code requirement for this.

I then went to the Board of Architectural Review for my approval. The Boards decision was to "Table" the vote since there was nothing for them to vote on. I was

told by the board that I would have to come back in 30 days at there next meeting to find out their final decision. I notified them that I would be away on work and could not attend the meeting. They said they would see what answers they could give me within a week and maybe I would not have to attend. 3 weeks went by and I was planning my trip when I called the city to get the answers. I was told then that I could withdraw my application and receive my money back because they had already put it on the Planning and Zoning Meeting with the New Code Changes. So when I asked them why I even went to the meeting, they said it was just part of the process. No apology or offer of reimbursement for my time was offered to me or the landowners.

Next, I went to the Planning and Zoning Meeting, also representing some of the other business's to talk about some of the concerns we had. Once the Public Hearing was called, I was told by Commissioner Tom Szilasi that I could not go over everything with the new codes and to only give my highlights, that was there job.

Section 3 Heading J

#1. What is demonstrated Cause? Do we need to Re-file every 180, get re—inspected, and then pay another \$150.00?

#3. This code should be for all of Weldon Spring and not just the selected few chosen by Weldon Spring.

#4. May-Be? It is unfair to exclude certain business from having to follow the new codes. This code should be for all of Weldon Spring and not just the selected few chosen by Weldon Spring.

Up to this point, all of the wording has been “Temporary Shipping Containers”. After this the wording changes to “Shipping Containers!!!

Section 4 Heading D

#1. Again, why are we being singled out and why is this not cover all of Weldon Spring?

#2. We lease our buildings and do not have access to the “Site Plan”. This would also become very expensive for the owners of the property if a new “Site Plan” was

needed every time a new tenant moved in or a container was moved. When the Fire Inspection is done each year, this would be covered by them as well.

#3. Temporary Shipping Container smallest size is 20 feet long, anything less would be call a portable storage container, not the same thing.

#3a. If the Temporary Shipping Container is anchored down not the ground, then it becomes a structure and not "Temporary". I cant move it, ship it, or load it as it was designed. We cannot destroy property that is not ours, and attaching it to dirt would do nothing. A empty 20' Temporary Shipping Container" weighs almost 5000lbs. and a 40 'weighs almost 10,000lbs., that more than cars and trucks, "Empty", not considering how much weight is on the inside, so if a storm comes through, we will see flying cars and trucks before a "Temporary Shipping Container".

#4. IMPOSSIBLE, Anything that is metal outside can rust. The expense can run around \$1,000.00 per container which would not be worth it, besides other factors we will talk about further along.

#5. “Temporary Shipping Containers” are not “Permanent Structures”. Unless approved, there are no guidelines for such an approval.

#8. This is already done by the fire department each year during the inspection process.

Section 7 Heading D

#1. And #2. Together

As we talked about earlier, the expense to paint each container would not be worth it. Every building is a different color, so you would have an easter basket worth of containers. But the main reason is because of shipping. We cannot paint over the information on the side or else we cannot ship, load, or transport them without this information.

Section 8 Heading A

A. This says “All Property owners of Weldon Spring” not Light Industrial. Section 4 Heading D #1. States Light Industrial. We are not the property owners.

1 Phone call 5 months ago to the ICC, International Code Council would have cleared this up. According to them, No New Codes Can Be Retroactive, meaning that any new codes made would only effect new business that are seeking to have a “Temporary Shipping Container”.

Including tonights meeting, I personally have over 40 man hours invested in this process, and the landowners great expense to have the site plan done within 3 weeks, and countless hours from many of the members here with the City Of Weldon Spring. At a time that Small Business's are having to deal with the Covid Pandemic, labor shortages, material shortages, and then this.