



**CITY OF WELDON SPRING  
BOARD OF ALDERMEN REGULAR MEETING  
ON TUESDAY, FEBRUARY 9, 2021, AT 7:30 P.M.  
WELDON SPRING CITY HALL  
5401 INDEPENDENCE ROAD  
WELDON SPRING, MISSOURI 63304**

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

As a precautionary measure to help prevent the exposure and the spread of the Coronavirus (COVID-19) pandemic, A NOTICE IS HEREBY GIVEN that the Regular Board of Aldermen Meeting will only be conducted virtual meeting by video-conference and/or audio-conference call, you may attend the meeting on a desktop, laptop, mobile device, or telephone by following the highlighted instructions below.

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

**<https://us02web.zoom.us/j/82746182820?pwd=MWxGcDhUNiBjNFBBOGk4MIBTTDd6UT09>**

**Meeting ID: 827 4618 2820**

**Password: BOA210209**

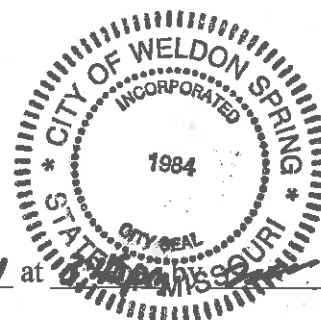
**Or by telephone dial: 1-312-626-6799**

**Meeting ID: 827 4618 2820**

**Password: 466056788**

Instructions for providing public comments: Persons interested in making their views known on any matter should send an email with their comments to the City Clerk at [bhanks@weldonspring.org](mailto:bhanks@weldonspring.org) no later than 7 p.m. on the day of the meeting. All comments received will be entered into the meeting minutes for public record and must include the person name and address. All comments will also be distributed to the entire Board at or before the meeting. Thank you for your understanding and patience as we all try to get through these unprecedented times.

**PAGE 1 OF 2**



This notice was posted at 5401 Independence Road on 2/5/21 at 5:50 PM *C. Banks*

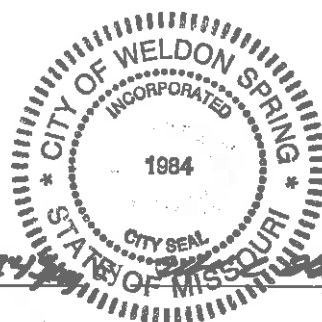
**\*\*\*\*AGENDA\*\*\*\***

- 1. CALL TO ORDER**
- 2. ROLL CALL and DETERMINATION OF A QUORUM**
- 3. CITIZENS COMMENTS**
- 4. APPROVAL OF MINUTES**
  - A. January 28, 2021 – Regular Board Meeting Minutes
- 5. CITY TREASURER**
  - A. Paid Bills (1-20-21 – 2-1-21)
- 6. UNFINISHED BUSINESS**
- 7. NEW BUSINESS**
  - A. Provisional Judge Appointment (Jeffery Sandcork) – **Mayor Licklider**
  - B. Alternate ARC Member Appointment (Thomas McCarty) – **Mayor Licklider**
  - C. Sammelman Road Project Bid Results– **City Administrator**
  - D. Vanguard Project Utility Easement Escrow (Discussion) – **Alderman Martiszus**
  - E. Section 410.630 Public Uses – Establish a “Neighborhood Park and Recreation Improvement Fund” (Discussion) – **Alderman Clutter**
  - F. Review Current City Fees (Discussion) – **Alderman Baker**
- 8. REPORTS & COMMITTEES**
  - A. Parks & Recreation Advisory Committee
  - B. City Administrator
  - C. City Attorney
  - D. Legislative Report & Legislative Conference Update – City Clerk
- 9. RECEIPTS & COMMUNICATIONS**
- 10. WORK SESSION**
  - A. Schedule Work Session – Topic Communitywide Survey (Draft Question Review)
- 11. ADJOURNMENT**

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

**PAGE 2 OF 2**

This notice was posted at 5401 Independence Road on 2/5/21 at 5:47pm



CITY OF WELDON SPRING  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
JANUARY 28, 2021

**NOTE:** Due to the health crisis of the COVID-19 pandemic, this Board Meeting was a videoconference meeting through a Zoom session.

**CALL TO ORDER:** The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Thursday, January 28, 2021 at approximately 7:30 PM. The meeting was held virtually via zoom. Mayor Licklider called the meeting to order.

**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

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

**MINUTES:** January 12, 2021, Board Minutes - Alderman Baker moved to approve the minutes from the January 12, 2021, regular meeting as written, 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 January 1, 2021 to January 19, 2021. The motion was seconded by Alderman Martiszus. The **motion carried** with 6 ayes.

**OLD BUSINESS:**

**Bill #1161 - An Ordinance Authorizing the Execution of an Agreement Between the City of St, Peters, Missouri, and the City of Weldon Spring, Missouri, for the Improvements associated with the Sammelman Road Improvement Project:**

Alderman Yeager made a motion to approve Bill #1161 for its second and final reading by title only. Alderman Schwaab seconded the motion. On a roll call vote, the Bill #1161 was placed as Ordinance 21-02 as followed:

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

**NEW BUSINESS:**

**Elected Official MS4 Update:** Bill Schnell (City Engineer) gave a brief update on the City of Weldon Spring MS4 permit renewal process.

**FY 2020 Reserve Fund Balance:** Alderman Baker made a motion to adjust the reserve fund and increase the balance by \$81,058.07. The motion was seconded by Alderman Schwaab. The **motion carried** with 6 ayes.

**A Resolution of the City of Weldon Spring, Missouri, for a Sidewalk Study in Front of the Wrenwyck Place Subdivision:** After a brief discussion, Alderman Yeager made a motion to approved Resolution 1-28-21, seconded by Alderman Baker. **Motion carried** with 6 ayes.

It was decided that the City would conduct an internal feasibility study on the connectivity between the subdivision and sidewalks located on Westwood Drive, which is east of the subdivision.

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

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

**City Attorney Report:** Mr. Bob Wohler (City Attorney) talked about stormwater issues by O'Fallon Road and how the parties involved are working to remedy the issues.

**PRAC Committee:** Alderman Baker updated the Board on the Walking Trail Project in Weldon Spring City Park. Also, he mentioned that the Committee talked with a supplier about a park pavilion and amphitheater for Weldon Spring City Park at the last Work Session.

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

There was a lengthy discussion over maintenance responsibility associated with the grinder pumps located in the Weldon Spring Neighborhood Improvement District since the dedication of the sewer system was completed late last year.

#### **ADJOURNMENT:**

Alderman Kolb moved to adjourn the meeting at 8:06 PM, seconded by Alderman Martiszus. **Motion carried** with 6 ayes.

Respectfully submitted,

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William C. Hanks, City Clerk

**PAID BILLS TO BE APPROVED  
JANUARY 20, 2021 -- FEBRUARY 1, 2021**

EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS  
9th DAY OF FEBRUARY, 2021 \_\_\_\_\_, MAYOR

**CLAIMS REPORT**  
Check Range: 1/20/2021 - 2/01/2021

GL ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK#	CHECK DATE
10-10-5202	WILLIAM C HANKS	EXPENSE REIMB DEC 2020	44.63	16353	1/22/21
10-10-5210	MUNITEB	WEBSITE HOSTING	180.00	11290817	1/27/21
23-23-5445	ST CHARLES COUNTY	2021 ROAD PROGRAM PAYMENT	28,075.13	16352	1/20/21
Accounts Payable Total			28,299.76		



## City of Weldon Spring

*City of Tradition and Progress*

5401 Independence Road

Weldon Spring, MO 63304

Phone: 636-441-2110 Fax: 636-441-8495

Email: [cityofweldonspring@weldonspring.org](mailto:cityofweldonspring@weldonspring.org)

Thursday, February 4, 2021

To: Michael Padella  
City Administrator

Re: Bid Results – Sammelman Road

At 2:00 PM on Thursday, January 21, 2021 bids were opened on the Sammelman Road Project, Contract ID 2020-04. In attendance from the City to witness the bids were Mayor Don Licklider, Michael Padella, Bill Schnell and Bill Hanks. The following bids were opened and read aloud.

RV Wagner	\$154,316.50
Spencer Contracting	\$158,735.61
Gershenson	\$169,214.70
E. Meier	\$203,918.26
<b>Build Pro STL</b>	<b>\$132,833.98</b>

Build Pro STL was the low bid at \$132,833.98. They have submitted all contract documents as required.

Build Pro STL is a newer company, with experienced staff in road construction. They are currently constructing the City Trail Expansion project at the City Park. There are always risks involved with a contracting with a newer company, however they did offer a very competitive bid and so far, they have been responsive and working well with the City on the trail expansion.

For these reasons, I recommend proceeding with Build Pro STL and executing the contract. If I can be of further assistance, please advise.

Sincerely,

Bill J. Schnell, P.E.  
City Engineer

## Chapter 410. Subdivision Regulations

### Article VII. Requirements for Improvements, Reservations and Design

#### Section 410.630. Public Uses.

[Ord. No. 18-12, 12-11-2018]

##### A. Parks, Playgrounds And Recreation Areas.

1. **Recreation Standards.** The City shall require that land be reserved for parks, playgrounds and other recreation purposes in locations designated by the City's Comprehensive Plan or where such reservations are deemed appropriate. Each reservation shall be of suitable size, dimension, topography and general character and shall have adequate street access for the particular purpose envisioned by the Planning and Zoning Commission. The area shall be shown and marked on the plat "Reserved for Park and/or Recreation Purposes." When recreation areas are required, the Planning and Zoning Commission shall determine the number of acres to be reserved based on Table 3. The applicant shall dedicate all such recreation areas to the City or to a homeowners' association at the discretion of the City. For multi-family uses, the City shall determine the acreage for reservation based on the number of dwelling units per acre.

Table 3 Recreation Requirements	
Size of Single-Family Lot	Percentage of Total Land in Subdivision to be Reserved for Recreation Purposes
80,000 sq. ft. (§ 1.8 acres) and greater	4.0%
40,000 sq. ft. (§ 0.92 acres)	5.0%
20,000 sq. ft. (§ 0.46 acres) or less	6.0%

2. **Minimum Size Of Park And Playground Reservations.** In general, land reserved for recreation purposes shall have an area of at least four (4) acres. When the percentages from Table 3 would create less than four (4) acres, the Planning and Zoning Commission may require that the recreation area be located at a suitable place on the edge of the subdivision so that additional land may be added when the adjacent land is subdivided. In no case shall an area of less than two (2) acres be reserved for recreation purposes if it will be impractical or impossible to secure additional lands in order to increase its area. When recreation land is not reserved in a subdivision or the land reserved is less than the percentage in Subsection (A) (1) above, the provisions of Section (A)(4) hereof shall be applicable.
3. **Recreation Sites.** Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield or for other recreation purposes; shall be relatively level and dry; and shall be improved by the applicant to the standards required by the Board of Aldermen. Said improvements shall be included in the subdivision improvement agreement and security. A recreation site shall have a total frontage on one (1) or more streets of at least



two hundred (200) feet and no other dimension of the site shall be less than two hundred (200) feet in depth. The Planning and Zoning Commission may refer any subdivision proposed to contain a dedicated park to the Board of Aldermen for a recommendation. All land to be reserved for dedication to the City for park purposes shall have prior approval of the Board of Aldermen and shall be shown marked on the plat "Reserved for Park and/or Recreation Purposes."

4. **Alternative Procedure — Money In Lieu Of Land.** Where, with respect to a particular subdivision, the reservation of land required pursuant to this Section does not equal the percentage of total land required to be reserved in Subsection (A)(1) above, the Board of Aldermen shall require, prior to final approval of the subdivision plat, that the applicant deposit with the City Treasurer a cash payment in lieu of land reservation. Such deposit shall be placed in a Neighborhood Park and Recreation Improvement Fund to be established by the Board of Aldermen. The deposit shall be used by the City for improvement of a neighborhood park, playground or recreation area including the acquisition of property. The deposit must be used for facilities that actually will be available to and benefit the persons in the subdivision for which payment was made and be located in the general neighborhood of the subdivision.

The Board of Aldermen shall determine the amount to be deposited based on current land appraisals for like property in the area.

5. **Applicability To Cluster Developments And Planned Districts.** Subdivision plats that contain cluster developments or occur within a planned district shall not be exempt from the provisions of this Section. The percentage of land to be reserved for recreation purposes shall be based on the average single-family lot size within the development. The average lot size shall be determined by the dividing the total square footage of the development by the total number of units. The Planning and Zoning Commission shall then determine the number of acres to be reserved based on Table 3. If no additional area, other than the area to be reserved based on the average lot size, is required by the Board of Aldermen, the full fee shall be paid as required in Subsection (A)(4) above. If further land is required for reservation, apart from that based on the average lot size, payment shall be given as provided by Subsection (A)(4) above.
6. **Other Recreation Reservations.** The provisions of this Section are minimum standards. None of the paragraphs above shall be construed as prohibiting an applicant from reserving other land for recreation purposes in addition to the requirements of this Section.

**B. Other Public Uses.**

1. **Plat To Provide For Public Uses.** Except when an applicant utilizes planned district procedures in which land is set aside as required by the provision of the Zoning Ordinance, whenever a tract to be subdivided includes recreation uses in excess of the requirements of Subsection (A) of this Section or other public use as indicated in any portion of the Comprehensive Plan, the space shall be suitably incorporated by the applicant into the preliminary plat. After proper determination of its necessity by the Planning and Zoning Commission and the appropriate City official or other public agency involved, the site shall be suitably incorporated by the applicant into the preliminary and final plats.
2. **Referral To Public Body.** The Planning and Zoning Commission may propose alternate areas for such acquisition and shall allow the public body or agency thirty (30) days for reply. The agency's recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired and an estimate of the time required to complete the acquisition.
3. **Notice To Property Owner.** Upon receipt of an affirmative report, the Planning and Zoning Commission shall notify the property owner and shall designate on the preliminary and final plats that area proposed to be acquired by the public body.

4. **Duration Of Land Reservation.** The acquisition of land reserved by a public agency on the final plat shall be initiated within twelve (12) months of notification, in writing, from the owner that he intends to develop the land. Such letter of intent shall be accompanied by a preliminary plat of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed twelve (12) months shall result in the removal of the "reserved" designation from the property involved and the freeing of the property for development in accordance with these regulations.

**CITY OF WELDON SPRING**  
**2/21– BOA Meeting (Changes in Red)**  
**CITY CLERK'S LEGISLATIVE REPORT**

The 101st Missouri General Assembly legislation session began on January 6, 2021. Here are some of the legislative issues that the City of Weldon Spring may be interested in monitoring this session:

**Video Franchising**

- **HB 386 (Sponsor: Fitzwater)** – The Bill establishes a Task Force on the Future of Right-Of-Way Management and Taxation. Also, lowers video franchise fees from 5% to 2.5 % over 5 years. **This Bill was referred to the House Utilities Committee on February 4, 2021.**
  - **Major Potential Impact to WS** – City's video franchise fees from Spectrum and AT&T would be reduced over time down by \$28,964 and \$11,962 respectively. This would be an estimated reduction to our General Fund revenue by 7% annually ultimately.
- **SB 163 (Sponsor: Cierpiot)** – The Bill has the very similar language to HB 386 in creating a task force and reducing video franchise fees from 5% to 2.5% over the next 5 years. **A hearing is scheduled for the Senate Commerce, Consumer Protection, Energy, and the Environment Committee on February 10, 2021.**
  - **Major Potential Impact to WS** - City's video franchise fees from Spectrum and At&t would be reduced over time down by \$28,964 and \$11,962 respectively. This would be an estimated reduction to our General Fund revenue by 7% annually ultimately.

**Taxation**

- **HB 210 (Sponsor: Gray)** – This Bill exempts food, as defined in the bill, from local sales tax.
  - **Low Potential Impact to WS** – This may impact food sales at retailers such as Walgreens, QT and Circle K.
- **SB 24 (Sponsor: Eigel)** – The current law requires that personal property be assessed at 33.3% of its true value in money, but this act would start reducing personal property tax to 25% for the 2022 calendar year, 19% for the 2023 calendar year, 13% for the 2024 calendar year, 7% for the 2025 calendar year, and 0.001% for all subsequent years. **This Bill was passed out of the Senate Ways & Means Committee by a 4-0 vote (3 absent) on February 4, 2021.**
  - **Medium Potential Impact to WS** – County Road & Bridge property tax would be negatively impacted, and the portion allocated to Weldon Spring would be reduced by \$11K - \$15K annually by 2026. This would be roughly a 5% - 7% annual reduction to our Road & Bridge Maintenance Fund ultimately.

- **SB 99 (Sponsor: Koenig)** – The Bill changes the requirement for community improvement districts (CIDs) and transportation development districts (TDDs) for sales tax on purchases made within such districts from the approval of majority of voters living within the district, to the approval of majority of the voters in the municipality, in which the district is located. This Bill was referred to the Ways & Means Senate Committee on January 21, 2021.
  - **Potential Future Impact on all CIDs & TDDs** – Would increase the lead time adding election and legal fees to the process.
- **SB 252 (Onder)** – The Bill requires that 0.5% of the 3% state sales tax shall be deposited into the State Road Fund. The remaining 2.5% shall continue to be deposited into the General Revenue Fund. The act phases in the amount deposited into the State Road Fund over a period of five years, with an increase of 0.1% each year. **This Bill was referred to the Senate Transportation, Infrastructure, and Public Safety Committee on January 28, 2021**
  - **Unknown Impact...**

### Elections

- **SB 150 (Sponsor: Onder)** – The Bill changes municipal election day to November. This Bill was referred to the Local Government & Elections Senate Committee on January 21, 2021. This Bill was referred to the Local Government & Elections Senate Committee on January 21, 2021.
  - **Unknown Impact...**
- **SB 161 (Sponsor: Crawford)** – The Bill modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. **This Bill was referred to the Local Government & Elections Senate Committee on January 28, 2021.**
  - **Support this Initiative**
- **SJR 5 (Sponsor: Eigel)** - This constitutional amendment, if approved by the voters, requires all proposals for new local taxes or fees or for an increase in an existing tax or fee to be submitted to the voters on a general election day (November of even years).
  - **Negative Impact** – This will cause timing delays and reduces the flexibility to local governments in planning and proposing tax/fee ballot initiatives.

- **SJR 9 (Sponsor: Cierpiot)** - This constitutional amendment, if approved by the voters, provides that any proposal for a new tax or fee, an increase in an existing tax or fee, or a reauthorization of an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 22% of qualified voters cast a ballot in the election.
  - **Negative Impact** – This would greatly increase the difficulty in obtaining positive tax/fee initiative outcomes.

### **Sunshine Law & Records**

- **HB 27 (Sponsor: Walsh)** - Requires posting meeting notices and Minutes on the City's website and social media pages. Plus, all approved legislation must be posted on the City's website and social media pages within 24 hours after the meeting. This Bill was referred to the House Special Committee on Government Accountability Committee on January 13, 2021. This Bill was referred to the House Special Committee on Government Accountability on January 24, 2021.
  - **Negative Impact** – Unfunded Mandate - Increases the demands on staff and entity resources to comply with Sunshine Laws as it relates to social media. Would likely require more sophisticated software to track and record social media posts and auto archive.
- **HB 174 (Sponsor: Ellebracht)** - Amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances.
  - **Negative/Unknown Impact** – Unfunded Mandate to monitor and record social media posts including those personal accounts of members of the government body.
- **HB 177 (Sponsor: Ellebracht)** - The City would be allowed to close records on discussions and descriptions about security procedures, which includes evacuation and lock down procedures. This Bill was referred to the House Special Committee on Homeland Security on February 4, 2021.
  - **Support this Initiative** – Provides a level of security to the public entity as it relates to security and safety operations/response and procedures.
- **HB 362 (Sponsor: DeGroot)** – Allows the City to close records related to email addresses and telephone numbers submitted to a public governmental body by individuals or entities with the sole purpose of receiving electronic or other communications. This Bill was passed out of the House Committee on Emerging Issues by a 12-0 vote on February 3, 2021. Also, the passed out of the House Administrative Oversight Committee by a 9-0 vote on February 4, 2021.

- **Support this Initiative** – Allows the public to register and request to receive automatic notices/correspondence and not be subjected to a Records/Sunshine Request to obtain their personal contact information.

### **Miscellaneous**

- **SB 126 (Sponsor: Brown)** – This Bill extends the hours for sale of intoxicating liquor.
  - **Impact to WS** – This will allow some local businesses more flexibility and opportunity to increase their sales.
- **HB 271 (Sponsor: Wiemann)** – The Bill establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. The City may voluntarily participate in the database or may be required to participate if a petition process used by its residents is used to require participation as specified in the bill. A link to the database on the City's website is required. **This Bill was passed out of the House Committee on Emerging Issues by a 12-0 vote on February 3, 2021. Also, the Bill was passed out of the House Administrative Oversight Committee by a 9-0 vote on February 4, 2021**
  - **Neutral/Impact Unknown**
- **HB 491 (Sponsor: Grier)** - This bill prohibits municipalities from restricting the operation of a “no-impact home-based business” or otherwise requiring a person to apply for or obtain a permit, license, variance, or other prior approval to operate a no-impact home-based business. The bill establishes a list of factors that qualify a home-based business as a no-impact home-based business. **This Bill was referred to the House Downsizing State Government Committee on January 28, 2021 and was heard before the Committee on February 3, 2021.**
  - **Negative Impact** – This eliminates or reduces the City's ability to review and monitor land use and business activities occurring within its corporate limits.
- **HB 555 (Sponsor: Eggleston)** – This bill is an omnibus bill. While it implements Wayfair legislation, it lowers income tax, requires municipal voter approval of CIDs and TDDs, gradually eliminates video service provider fees, creates penalties for political subdivisions failing to file annual financial reports, including a public vote for disincorporation, and changes definition of blight for economic development **This Bill was referred to the House Ways & Means Committee on January 29, 2021.**
  - **Negative Impact** – This could decrease the overall revenue stream for the City and make economic development more challenging for the City