



**CITY OF WELDON SPRING
BOARD OF ALDERMEN MEETING
ON THURSDAY, MAY 23, 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:** (05/14/19 – Regular Meeting)
- 5. CITIZENS COMMENTS:**
6. Christopher Sander, Powder Monkey Fireworks – Seasonal Sales of Fireworks
- 7. PUBLIC HEARING:**
- 8. CITY TREASURER:** Paid Bills (5-8-19 – 5-15-19) & Unpaid Bills (5-15-19 – 5-23-19)
- 9. OLD BUSINESS:**
 - A. An Ordinance on Medical Marijuana Regulations (**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 #1124 - An Ordinance of the City of Weldon Spring, Missouri, to Execute an Agreement with St. Charles County for building permitting, private sewage disposal/septic, blasting, code enforcement and property maintenance, and building damage assessment (**Alderman Clutter**)
 - D. Bill #1125 -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**)
- 9. NEW BUSINESS:**
 - A. FY 2018 Audit & Financial Statement (**Discussion/Consideration**)
 - B. An Ordinance Amending Section 605.030 of City Code (Solicitation of Private Residences (**Alderman Clutter**))
- 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 Section 610.021, 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 Section 610.021(1), and/or Personnel under Section 610.021(3), and/or Real Estate under Section 610.021(2).*

14. ADJOURNMENT

**CITY OF WELDON SPRING
REGULAR MEETING OF THE BOARD OF ALDERMEN
MAY 14, 2019**

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, May 21, 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 Schwab	Alderman Solb
Ward 3:		

Alderman Baker and Alderman Martin were absent. A quorum was declared.

MINUTES: April 25, 2019 Board Minutes - Alderman Clutter moved to approve the minutes as written from the April 25, 2019 regular meeting. Alderman Hillmer seconded the motion. Motion carried with 4 ayes.

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

PUBLIC HEARING: The public hearing for a conditional use permit for the 94 Bait, LLC was held at 7:35 PM.

Lynn Cotton, from 94 Bait, LLC, spoke briefly about the desire to open the bait shop to sell vapor-type and bait-type products. He reiterated that the current owners are not affiliated with the previous owner and the business would not sell any illegal products, which the previous owner did.

Mayor Licklider notified the Board the public hearing portion of the condition use permit was heard by the Planning & Zoning Commission on May 6, 2019. However, the Commission tabled the topic until the Planning & Zoning Commission meeting in June at the request of Trey Sanders, who is the Attorney for the applicants.

There was no one from the public, in attendance, wishing to speak on this issue; however, the City Clerk received an e-mail on the issue prior to the meeting, which was read into record by Alderman Cutter.

The e-mail reads....

Thanks for the opportunity to speak at the Public Hearing last evening regarding the sale of e-Cigarettes at the "Bait Shop".

I would like to send this as an addendum to my concerns expressed at the meeting. After listening to the reps speak from the business, they indicated they had additional retail sites, one less than 20 minutes away. I would like to hear if they have any other locations with such a diverse offering, i.e. bait/tackle and e-cigarettes? If not, why at this location? With its tainted history, I would have thought they'd want to diminish any connection to the old bait shop.

Secondly, they indicated repeatedly they have no affiliation with previous ownership, but their main business sign up on the building currently says "The Bait Shop" Est. 1985. What exactly are they trying to reference with this?

Again, thanks for the consideration.

Bettie Yahn-Kramer, 6312 Weldon Spring Road

The public was closed at 7:36 PM.

TREASURER'S REPORT: Alderman Hillmer made a motion to accept the Treasurer's packet of paid bills from April 17, 2019, to May 14, 2019, and the unpaid bills from April 26, 2019, to May 14, 2019. Alderman Chuter seconded. **Motion carried** with 4 ayes.

It was decided that the City should encourage the vendors to invoice the City on reoccurring charges rather than using City-issued credit cards.

OLD BUSINESS:

Independence Road (Phase 4) Supplemental Agreement: Alderman Schwaab made a motion to approve, not to exceed \$6,410.00, supplemental agreement to St. Charles Engineering for the Independence Road Phase 4 Design Contract, seconded by Alderman Kolb. **Motion carried** with 4 ayes.

An Ordinance on Medical Marijuana Regulations: This topic was tabled.

NEW BUSINESS:

An Ordinance Approving the Recommended Site Plan by the Weldon Spring, Missouri, Planning & Zoning Commission for Clarifier Manufacturing Building: Alderman Schwaab moved to introduce Bill # 1123 for its first reading. Alderman Hillmer seconded the motion and the **motion carried**.

Bill # 1123 was tabled in accordance with City Code.

Steve Aulbach, from Infrastructure Management, talked briefly about the site landscaping and the plan to increase safety around the large concrete wall drop-off, which is located

on the site. The plan is to lower the level of the “borrow” area.

An Ordinance of the City of Weldon Spring, Missouri, to Execute an Agreement with St. Charles County for building permitting, private sewage disposal/septic, blasting, code enforcement and property maintenance, and building damage assessment:

Alderman Clutter moved to introduce Bill # 1124 for its first reading. Alderman Hillmer seconded the motion and the **motion carried**.

Bill # 1124 was tabled in accordance with City Code.

Mr. Bob Wohler (City Attorney) advised the Board on certain contract language (Section 3B on page 1). He felt that the breach of contract language was a little heavy handed. A brief discussion about the language took place.

Also, the City wants to have a meeting with the County to discuss code enforcement services.

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 introduce Bill # 1125 for its first reading. Alderman Hillmer seconded the motion and the **motion carried**.

Bill # 1125 was tabled in accordance with City Code.

Nancy Lane: Mr. Bob Wohler gave a brief update. After a lengthy discussion, it was decided that more information is needed before taking any action on the property next to City Hall.

St. Charles Municipal League Fees: Mr. Hanks discussed options for membership between St. Charles Municipal League and Municipal of Metro St. Louis. After a brief discussion, the Board would like more information on these options.

Sunshine Law Discussion: A discussion on some clarification about Sunshine Law pertaining to e-mail communications and what constitutes as a public meeting.

REPORTS AND COMMITTEES:

City Administrator: Mr. Padella (City Administrator) has no report at this time.

City Attorney: Mr. Wohler talked about the different position on certain issues made by Missouri State Senator Bill Eigel.

Planning and Zoning Commission: Mayor Licklider updated the Board about the actions from the last Planning and Zoning meeting.

Finance Committee: Alderman Clutter gave an update on the last Finance Meeting from May 8, 2019. He stated the next meeting would be in early June. Also, Alderman

Clutter stated the FY 2108 Audit has been reviewed by the Finance Committee and is ready for approval by the Board for the next Board Meeting/

CERT Committee: Alderman Schwaab stated the CERT Committee plan on participating at the Kids' Fishing Day event in June.

PRAC Committee: Mr. Padella updated the Board about the last PRAC meeting. He stated the Committee voted to support the 5- year plan. Alderman Kolb asked if the City interest in the donated playground equipment from an elementary school in Eureka, Missouri. A brief discussion ensued.

RECEIPTS & COMMUNICATIONS:

Alderman Clutter: He asked about the deadline new letter articles. Also, he talked about City's shirt for the elected officials and City staff and asked about possibly Shredding Day or Recycling Day Events for the residents.

Alderman Kolb: She talked about an issue at 5522 Independence Road, which the owner driveway is washing out onto the walking trail. A brief discussion took place. The City Administrator will follow up with the homeowner.

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 9:17 PM and Alderman Clutter seconded the motion. Motion carried with 4 ayes.

Respectfully submitted,

William C. Hanks
City Clerk

BILL NO. _____

ORDINANCE NO. _____

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 Ordinance shall be known as "The Medical Marijuana Ordinance for the City of Weldon Spring, Missouri.

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

Section 675.030 Purpose: It is the purpose of this Ordinance 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 Ordinance 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 Ordinance 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 Ordinance 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 Rohrabacher-Farr Amendment 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, Governing, (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. Do Medical Marijuana Centers Behave Like Locally Undesirable Land Use? Implications for the Geography of Health and Environmental Justice, Urban Geography (2013).

9. Medical Marijuana Meets Zoning: Can You Grow, Sell, and Smoke That Here? American Planning Association, Planning & Environmental Law, Vol. 62, No. 8, p.3 (Aug. 2010).

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. The Health and Social Effects of Nonmedical Cannabis Use, 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, The Marijuana Experiment, Considerations of Legalization In Illinois, Illinois Association for Behavioral Health (power-point presentation).

14. Local Impacts of Commercial Cannabis, 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 Ordinance 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.

IDENTIFICATION 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 license 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, 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 Non-Affiliated 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 not 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 of marijuana is a violation of 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 law enforcement.

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 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. A Cultivation Facility shall have no more than 30,000 square feet and be one story structure.

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.

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 by 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 card.

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 with a physician's certification from a licensed physician and filled at a licensed Medical Marijuana Distribution Facility (MMDF).

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 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:

1. The quantities of medical marijuana dispensed in each transaction;
2. The type of medical marijuana dispensed;
3. The total amount paid by the patient or primary caregiver for the transaction for each of the goods and services provided, before relevant taxes;
4. The patient identifying information permitted by law;
5. Confirmation that the employee confirmed the identity of the patient or primary caregiver receiving the medical marijuana with a valid state issued identification; and
6. The date and time dispensed.

ARTICLE VIII

Operating Plans

Section 675.700 Operating Plans.

A. As a condition of processing of a business license application, a Facility operator shall provide at the time of filing of the business license application a detailed operations plan and, upon issuance of a license, shall operate the Facility in accordance with the plan. Such plan shall include:

1. **Floor Plan.** A plan showing the layout of the Facility and the principal uses of the floor area depicted. A Medical Marijuana Dispensary Facility shall have a lobby waiting area at the entrance to the center to receive clients, and a separate and secure designated area for dispensing medical marijuana to qualified patients or designated primary caregivers. The primary entrance of any stand-alone facility shall be located and maintained clear of barriers, landscaping and similar obstructions so that it is clearly visible from public streets, sidewalks or site driveways.

2. **Storage.** A Facility shall provide a storage plan in compliance with section 675.600 of this ordinance.

3. **Security Plan.** A Facility shall provide a security plan in compliance with section 675.600 of this ordinance.

4. **Lighting Plan.** A Facility shall provide a lighting plan in accordance with this code. Such plan shall also include any illumination for the purposes of cultivation and any mitigation controls to lessen adverse impacts to the surrounding properties.

5. **Odor Controls.** A Facility shall provide a plan for the mitigation and control of odors and other environmental impacts which may emanate from a Facility. Such plan shall

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

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 ordinance 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 Ordinance. 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 ordinance the Board of Aldermen is relying on and does not waive 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 execute 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 City Clerk may require a licensee to execute a written instrument confirming the provisions of this Ordinance.

Section 675.970 Other Laws Remain Applicable.

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.

Section 675.980 Severability. 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 _____ DAY OF _____, 2019.

Attest:

CITY CLERK

MAYOR

BILL NO. 1123

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECOMMENDED MAJOR SITE PLAN FOR
THE CLARIFIER MANUFACTURING BUILDING AT 820 O'FALLON ROAD
AND OTHER MATTERS RELATING THERETO

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 6th, 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.

SECTION 2: 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.

SECTION 3: 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.

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

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF
WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 201____.

Presiding Officer/Mayor

Attest:

William C. Hanks, City Clerk

APPROVED BY THE MAYOR OF THE CITY OF WELDON SPRING THIS
____ DAY OF _____, 2019.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill #1123

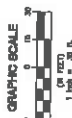
Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Clutter	_____	_____	_____
Hillmer	_____	_____	_____
Schwaab	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Baker	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

OF JOHN D. COALTERS HOWELL FRANKIE TRACT
IN U.S. SURVEY 1880
TOWNSHIP 45N. RANGE 3E.
ST. CHARLES COUNTY, MISSOURI



SHEET INDEX

- | | |
|-----|-----------------------------------|
| 1-1 | SITE PLAN |
| 2-2 | SITE DETAILS |
| 3-3 | LANDSCAPE PLAN |
| 1-1 | EXISTING CONDITIONS DRAINAGE PLAN |
| 2-2 | PROPOSED CONDITIONS DRAINAGE PLAN |
| 1-1 | FLOOR PLAN |
| 2-2 | BUILDING ELEVATIONS |
| 3-3 | BUILDING ELEVATIONS |
| 1 | SITE LIGHTING PLAN |




DISTRICTS / UTILITIES

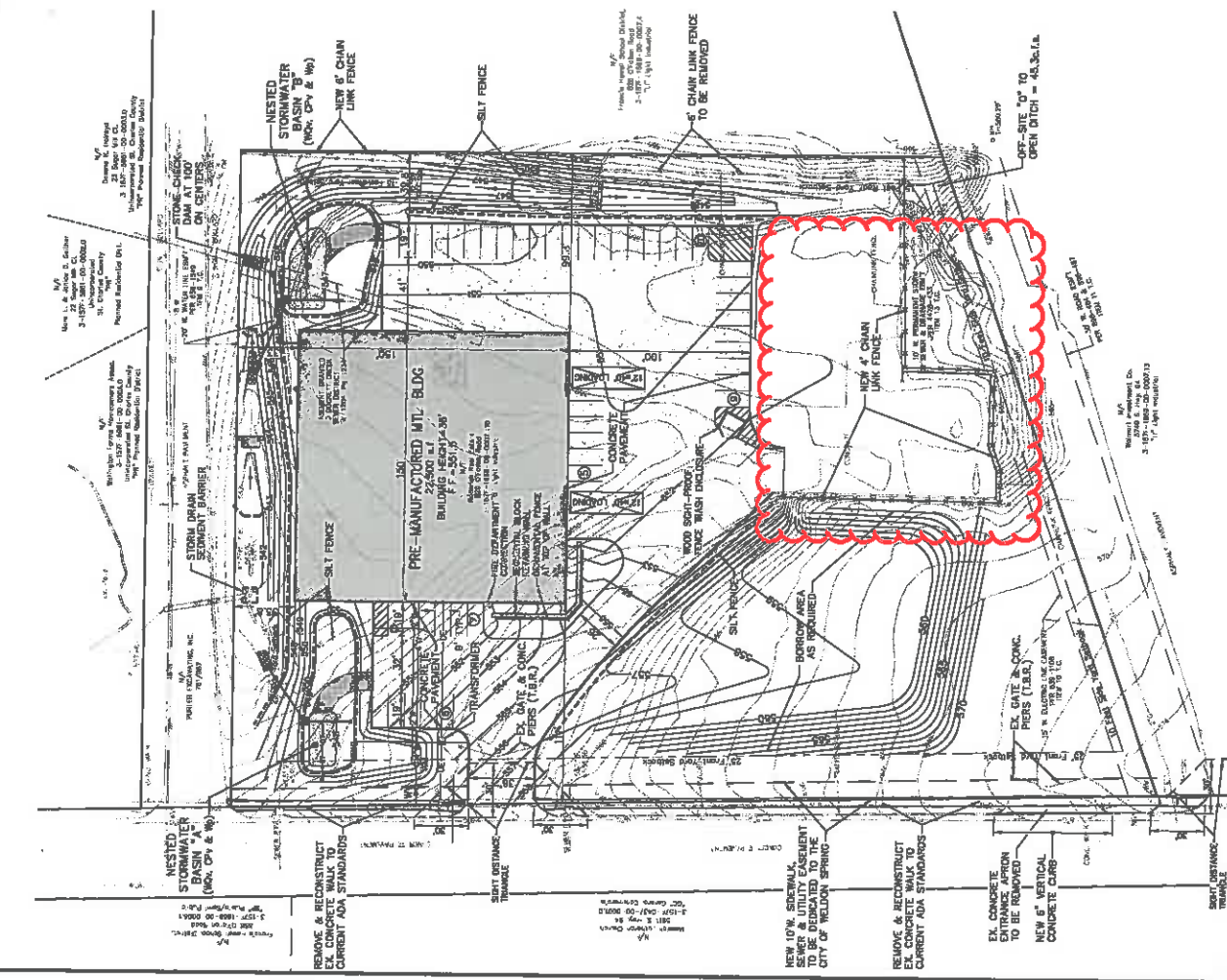
- COTTLEVILLE FIRE DISTRICT
CUINRE RIVER ELECTRIC
MISSOURI AMERICAN WATER
SPOKE
BUCKETT CREEK SANITARY DISTRICT
ATT&T
CHARTER COMMUNICATIONS
FRANCIS HOWELL SCHOOL DISTRICT

SITE DATA:

PARCEL, I.D. NO. 3-1579-1989-00-0007.10
AREA OF PARCEL: 7.79 Acres
ZONING DISTRICT: L-1 LIGHT INDUSTRIAL
Required Setbacks:
Front Yards: 25 feet
Side Yards: 10 feet
Side Yards: 25 feet
Rear Yards: 15 feet
MANUFACTURING (Noting setbacks)

SITE COVERAGE LEGEND

- Total Site Area = 3.72 Ac.**
- | | |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------|
|  | BUILDINGS
(22,500 s.f. - 13.0% of Site Area) |
|  | PAVEMENT
(34,465 s.f. - 23.7% of Site Area) |
|  | GREEN SPACE
(101,000 s.f. - 62.4% of Site Area) |
- MINIMUM LOT LANDSCAPING REQUIRED: 2.5% OF PAVED/PAVEMENT AREA**
(2.5% OF 34,465 = 862 s.f.)
- MINIMUM LOT LANDSCAPING PROVIDED: 1,025 s.f. (23.7%)**



LOCATION MAP

GENERAL NOTE: SEWER CONSTRUCTION

1. UNDERGROUND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE INFORMATION AND THE ENGINEER'S FIELD LOCATIONS. THEY ARE CONSIDERED APPROXIMATE ONLY. THE VERIFICATION OF THE LOCATION OF ALL UTILITIES IS THE RESPONSIBILITY OF THE SHOWN CONTRACTOR. NO UTILITIES SHALL BE LOCATED PRIOR TO ANY GRADING OR CONSTRUCTION OF IMPROVEMENTS.

2. ALL IMPROVEMENTS SHALL COMPLY WITH CITY OF WELDON SPRING CURRENT STANDARDS.

- 1 ANY WORK WITHIN A ROAD RIGHT-OF-WAY WILL REQUIRE APPROVAL FROM
2 THE CHIEF ENGINEER.
3
4 A. ALL SITE UTILITIES SHALL BE PLACED UNDERGROUND.
5
6 B. ALL SITE IMPROVEMENTS TO BE CONSTRUCTED TO AAS STANDARD.
7
8 C. OTHER THAN MAINTAINING EXISTING S.W. CONTROL AND SIDEWALK OF THE
9 EXISTING MATERIALS ON-SITE.
10
11 D. A CONSTRUCTION PLAN APPROVAL WILL BE REQUIRED FOR ALL WORK.
12
13 E. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME OF THE
14 CONTRACT.
15
16 F. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
17 PERMITS FROM THE APPROPRIATE AGENCIES.
18
19 G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
20 PERMITS FROM THE APPROPRIATE AGENCIES.
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22 H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
23 PERMITS FROM THE APPROPRIATE AGENCIES.
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25 I. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
26 PERMITS FROM THE APPROPRIATE AGENCIES.
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28 J. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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31 K. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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52 R. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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55 S. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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58 T. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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61 U. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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64 V. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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67 W. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
68 PERMITS FROM THE APPROPRIATE AGENCIES.
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70 X. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
71 PERMITS FROM THE APPROPRIATE AGENCIES.
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73 Y. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
74 PERMITS FROM THE APPROPRIATE AGENCIES.
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76 Z. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
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79 AA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
80 PERMITS FROM THE APPROPRIATE AGENCIES.
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82 AB. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
83 PERMITS FROM THE APPROPRIATE AGENCIES.
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85 AC. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
86 PERMITS FROM THE APPROPRIATE AGENCIES.
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88 AD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
89 PERMITS FROM THE APPROPRIATE AGENCIES.
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91 AE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
92 PERMITS FROM THE APPROPRIATE AGENCIES.
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94 AF. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
95 PERMITS FROM THE APPROPRIATE AGENCIES.
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97 AG. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
98 PERMITS FROM THE APPROPRIATE AGENCIES.
99
100 AH. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
PERMITS FROM THE APPROPRIATE AGENCIES.

LEGEND

EXISTING CONDITIONS		OVERHEAD ELECTRIC	
CONTOUR	TELEPHONE SERVICE	UTILITY POLE	BUY WIRE
STORM SINKER	0' 0"	0' 0"	SON
SANITARY SINKER	+	+	BUSH / SINKER
MAN-HOLE	+	+	DISCONNECT WIRE
CLUB INLET	+	+	PAVE / REINFORCE WALK
GRATE INLET	+	+	
WATER LINE	+	+	
FIRE HYDRANT	+	+	
DAS SERVICE	+	+	

LEGEND

NEW IMPROVEMENTS	
CLAY	0
CONTOUR	1K
STORM SEWER	7
RAIN/TWY SEWER	SALT FENCE
CLEAN OUT	SON
WATER LINE	PAINTED I.C. SYMBOL
WATER METER	CONCRETE PAVEMENT
SAFETY VALVE (WATER ON DAB)	



WEDEMEYER CERINJA CORRUJIA, INC., ARCHITECTS
30 STATE COURTHOUSE & BIRMINGHAM BLDG. 000000
BIRMINGHAM, ALABAMA 35203
TELEPHONE: (205) 393-7777 FAX: (205) 393-7777
WWW.WEDEMCO.COM



Clartier Manufacturing Building
820 O'Fallon Road
Weldon Springs, MO 63304

Drawn By: D.P.B.
Inspected By: M.A.V.
Job No.: 161133



BILL NO. 1124

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN
AGREEMENT WITH ST CHARLES COUNTY IN REGARD TO
BUILDING PERMITTING, PRIVATE SEWAGE DISPOSAL/SEPTIC,
BLASTING, CODE ENFORCEMENT AND PROPERTY
MAINTENANCE, AND BUILDING DAMAGE ASSESSMENT MATTERS
RELATING TO THE RESPONSIBILITY OF THE PARTIES THERE TO**

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

SECTION 1: That Missouri cities of the Fourth Class, Weldon Spring being such, have the authority to enter into agreements with other political subdivisions, St. Charles County being such in order to provide services for the public health safety, and welfare, pursuant to the provision of Sections 70.220 RSMo.

SECTION 2: That the Mayor of Weldon Spring, MO. is hereby authorized to execute an agreement with St. Charles County for building permitting, private sewage disposal/septic, blasting, code enforcement and property maintenance, and building damage assessment, a copy of said agreement being attached hereto as Exhibit A and is incorporated by reference herein.

SECTION 3: That this ordinance shall be in full force and effect upon its enactment and approval

*READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF
WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 201__.*

Presiding Officer/Mayor

Attest:

William C. Hanks, City Clerk

APPROVED BY THE MAYOR OF THE CITY OF WELDON SPRING THIS
____ DAY OF _____, 2019.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill #1124

Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Clutter	_____	_____	_____
Hillmer	_____	_____	_____
Schwaab	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Baker	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

**AGREEMENT BETWEEN ST. CHARLES COUNTY AND
THE CITY OF _____, MISSOURI, A MUNICIPALITY,
TO ENFORCE VARIOUS CODES ADOPTED BY THE MUNICIPALITY**

This Agreement made by and between ST. CHARLES COUNTY, MISSOURI, (hereinafter "County") and the CITY OF _____, MISSOURI, a municipal corporation, (hereinafter "Municipality"), each also referred to individually as "Party" and both collectively referred to as "Parties", pursuant to Section 70.220 RSMo., and authorized by Ordinance _____ to provide administration and enforcement of various building and property maintenance codes adopted by the municipality by ordinance (hereinafter, "Agreement"), is subject to the following terms and conditions:

ARTICLE I - GENERAL TERMS

- A. Supersession: This Agreement supersedes all other agreements, if any, between the County and the Municipality entered into prior to the date of this Agreement regarding the same subject matter as this Agreement (hereinafter, collectively "Prior Agreements"). The Prior Agreements between the County and the Municipality shall terminate upon execution of this Agreement.
- B. Municipality's Responsibilities. The Municipality agrees to:
1. Receive the services selected from the list of services shown in EXHIBIT I, attached hereto and made part of this Agreement.
 2. Adopt by ordinance all the code sections enacted by St. Charles County, Missouri, Ordinances of St. Charles County, Missouri ("OSCCMo") corresponding to the selected services, all listed in EXHIBIT I, attached hereto and made part of this Agreement (hereinafter, "Listed Codes"). The services to be provided by the County shall include, without limitations, enforcement of the County's licensure requirements for all professionals performing any of the services subject to the Listed Codes.
 3. Adopt by ordinance any and all amendments to the Listed Codes enacted by the County (hereinafter "Amendments") within 60 days of receipt of the County's written notification that it has enacted said Amendments. Failure to adopt said Amendments shall be construed as a breach of this Agreement by the Municipality.
 4. Certify a copy of the above-described ordinances adopting Listed Codes and Amendments and send them to:
 - a. County Registrar at 201 N. Second Street, St. Charles, Missouri 63301; and
 - b. County's Department of Community Development, Building and Code Enforcement Division at 201 N. Second Street, St. Charles, MO 63301.

5. Forward to the County's department of Community Development for handling any and all complaints received from residents of the Municipality concerning violations of the Listed Codes and Amendments; and
6. Make available any Municipality staff which are deemed, in the sole discretion of the County, to be necessary to assist the County in its code enforcement task under this Agreement, including provide testimony and any other assistance to the prosecution of the code enforcement violations.

C. County's Responsibilities. The County agrees to:

1. Be responsible, through the Division of Building and Code Enforcement of the County's Department of Community Development, for the administration and enforcement of the Listed Codes and Amendments, as well as other special services listed in **EXHIBIT I**, if selected, and all associated functions for, and on behalf of, the Municipality; and
2. Provide the Municipality with written notice of any Amendments the County enacts after the execution of this Agreement, and for as long as the Agreement is in force and effect, within 30 days of the effective date of the specific Amendment; and
3. Prosecute, through the Office of the County Counselor and in the County Municipal Court, all violations of the Listed Codes and Amendments; and
4. Perform, through the County Municipal Court, such duties as required to hear and determine those violations; and
5. Provide the Municipality with the capability to obtain violation status updates through access to the County's web-based permitting and application system.

D. Notices: Any notice required to be given in writing by either Party to the other shall be (i) delivered in person, (ii) sent by reputable express courier or delivery service, (iii) sent by registered or certified mail, postage prepaid, return receipt requested, or (iv) sent by facsimile machine or electronic mail followed by delivery by any of the above methods, addressed as follows:

Notice to County should be sent to:

County Counselor Office
100 N. Third Street
St. Charles, MO 63301
Fax: 6369497541
E-mail: ARoark@sccmo.org

Notice to Municipality should be sent to:

Name, Title
Municipality
Address
Address
Fax:
E-mail:

The notice address may be changed by any Party by giving notice to the other Party under this provision. Notices shall be deemed delivered (a) on the date hand delivery is made, (b) on the next business day following the date that the notice is deposited with an overnight delivery service, (c) on the date that is two (2) calendar days after the notice is deposited in the United States mail by registered or certified mail, or (d) on the date transmission is made by facsimile machine or electronic mail.

ARTICLE II – LIABILITY

- A. Indemnification by Municipality: To the extent allowed or permitted by law, the Municipality shall indemnify, defend and hold harmless the County, its council members, executive, officers, employees, and agents, from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit or judgment for damages to property or injury to or death of persons, and including payment under any workmen's compensation law, or under any plan for employee's disability or death benefit, which may arise out of or be caused in whole or in part by the fault, failure, negligence or alleged negligence of the Municipality, its officers, employees, agents, or servants in performing its obligations under this contract.
- B. Indemnification by County: To the extent allowed or permitted by law, the County shall indemnify, defend and hold harmless the Municipality, its officers, employees, agents, or servants from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit or judgment for damages to property or injury to or death of persons, which may arise out of or be caused in whole or in part by the fault, failure, or negligence of the County, its employees, agents, or servants in performing its obligations under this contract.
- C. Breach: Any of the following events will constitute a breach of this Agreement:
1. The failure by Municipality to pay, when due and payable, any fee, expense or other payment as provided for in this Agreement.
 2. The failure of either Party to perform any other term, condition or covenant of this Agreement which failure has not been corrected within 15 days of the date of written notice of such nonperformance given to it by the other Party.
 3. All instances specifically stated elsewhere in the Agreement to construe a breach of this Agreement.

- D. Remedies: The Parties agree to the following remedies in the event of any breach, which shall be cumulative and not exclusive:
1. In the event of breach by the Municipality, the County may terminate the Agreement by giving the Municipality written notice no later than 30 days prior to the termination effective date stated in the written notice of termination, and keep the entire amount of the annual payments already made to the County by the Municipality under this Agreement. The County shall continue to perform all functions of the code enforcement services it deems necessary to close out all pending projects.
 2. In the event of breach by the County, the Municipality may terminate the Agreement by giving the County written notice of termination no later than 30 days prior to the termination effective date stated in the written notice of termination, and the County shall reimburse the Municipality a prorated amount of the annual fee prepaid to the County by the Municipality corresponding to the months remaining from date of termination through the end of the contract period, or any subsequent annual renewal.
- E. No Waiver: In no event shall the continued performance of Services under this Agreement by either Party after the occurrence of any event of breach by the other Party, be construed as a waiver of damages for such breach or as a modification of this Agreement. The waiver of one breach under this Agreement by either Party shall not constitute a waiver of subsequent breaches.

ARTICLE III- LIMITATIONS

- A. Assignment Prohibited: Either Party shall not assign, transfer or delegate any interest in this Agreement to anyone. Any attempted assignment shall be void and of no force and effect.
- B. Sole Beneficiary: This Agreement is made for the sole benefit of the Parties hereto and is to be exercised solely by the Parties, subject to, and in conformance with, the rules and regulations St. Charles County has now in force or may hereinafter adopt related to the County's provision of the services under this Agreement to the Municipality. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the County and the Municipality.
- C. Compliance with Applicable Law: The Municipality shall comply with all applicable laws, ordinances, rules, regulations and requirements now in force or which may hereinafter be put into force to ensure it is in full compliance with the provisions of this Agreement for the entire duration of this Agreement. Any ordinance, rule, regulation or requirement the Municipality has now in place or may hereinafter adopt that would be inconsistent or conflict with the terms of this Agreement or with any of the Listed Codes and Amendments, shall be construed a breach of this Agreement by Municipality.

- D. Amendments: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the Municipality and the County.

ARTICLE IV- COMPENSATION

In consideration of the County meeting the obligations of this contract, the Municipality agrees that pursuant to St. Charles County Charter Article X, Section 10.502, the County may collect the following fees and assess the following charges to recover the County's expenses for the services rendered pursuant to this Agreement:

A. Fees to be paid by the Municipality:

1. Code Enforcement and Property Maintenance: The Municipality shall pay an annual fee of one dollar (\$1) for each resident of the Municipality according to the latest decennial census, commencing on January 1, 2020. Such fee shall be payable to St. Charles County within 30 days of the invoice sent to the Municipality by the County, and annually therefrom, for as long as this Agreement is in force and not otherwise terminated; and
2. Building Damage Assessment: The Municipality shall pay ten dollars (\$10) per Initial Assessment inspection and ninety dollars (\$90) per Detailed Assessment inspection, per building damage occurrence.

B. Fees to be paid by Persons:

1. Permit Applications: Permit applicants shall pay all standard permit application fees payable by applicants for permits under the Listed Codes and Amendments, all in the amounts corresponding to the respective services as set forth in Chapter 505, and in Section 635.150, OSCCMo., as amended in the County's sole discretion from time to time and without notice, in force and effect at the time the respective services are rendered.
2. Other Fees: Persons shall pay all standard fees for specific services, such as property abatement, as outlined in the respective sections of the OSCCMo., as amended in the County's sole discretion from time to time and without notice, in force and effect at the time the respective services are rendered.

- C. All court costs to the extent that such costs are distributable to the Municipality or Persons by law.

ARTICLE V-CONTRACT TERM / TERMINATION

- A. Original Contract Period / Automatic Renewals: The original contract period shall commence on the date this Agreement is executed and shall terminate on December 31,

2019. The Agreement will automatically renew every year thereafter, unless terminated by either Party pursuant to this Agreement.

- B. Termination by Notice: This agreement may be terminated by either Party hereto at any time by giving the other Party written notice of termination no later than sixty (60) days before the termination effective date, stated in the notice of termination.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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

Executed by the Municipality the _____ day of _____, 2019.

Executed by the County the _____ day of _____, 2019.

MUNICIPALITY

ST. CHARLES COUNTY, MISSOURI

Signature: _____ Signature: _____

Printed Name: _____ Printed Name: _____

Title: _____ Title: _____

ATTEST:

ATTEST:

Signature: _____ Signature: _____

Printed Name: _____ Printed Name: _____

Title: _____ Title: _____

CERTIFICATE OF ST. CHARLES COUNTY DIRECTOR OF FINANCE

I certify that there is a balance otherwise unencumbered to the credit of the appropriation to which this contract is chargeable, and a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made, each sufficient to meet this obligation.

Director of Finance

Date

Next Steps

- Within a week of this meeting, each jurisdiction will receive the master contract template.
- By 2/20/19, comments regarding the master contract template should be sent to Jared Agee.
- By the end of March 2019, St. Charles County will send final copies of the contracts to the County Council for approval.

Contact Us

201 N. Second St., Suite 410
St. Charles, MO 63301

Mike Hurlbert, Director
Community Development Department
Ph: 636-949-7346 | mhurlbert@sccmo.org

Jared Agee, Director
Building and Code Enforcement Division
Ph: 636-949-7345 | jagee@sccmo.org

CURRENT MUNICIPAL CONTRACTS

City	Building Permits	Damage Assmnts	Septic Permits	Property Code	Blasting
Augusta	✓		✓	✓	
Cottleville			✓		
Dardenne Prairie					
Flint Hill			✓	✓	
Foristell			✓		
Josephville			✓	✓	
Lake St. Louis			✓		
New Melle	✓		✓	✓	✓
O'Fallon			✓		✓
Portage Des Sioux					
St. Charles					✓
St. Paul			✓	✓	
St. Peters					
Unincorporated County	✓	✓	✓	✓	✓
Weldon Spring	✓		✓	✓	
Weldon Spring Heights					
Wentzville			✓		
West Alton	✓		✓	✓	

EXHIBIT I

The Services to be provided by St. Charles County to the Municipality pursuant to the Agreement to Enforce Various Codes, to which this Exhibit I is attached and made part of, are those corresponding to the INITIALS box that is populated by the Municipality's authorized representative's initials. If the INITIALS box is left blank or marked in any way other than by municipality's authorized representative's initials, the corresponding services shall not be deemed selected.

The fees the County collects from permit applicants for the various code enforcement activities are codified and published in the referenced section, Chapter 505, and in Section 635.150 of the Ordinances of St. Charles County, Missouri (OSCCMo). Chapter 505 OSCCMo and Section 635.150 OSCCMo are subject to amendments by the County without notice.

[*] City of Foristell is ineligible to receive these services from the County in those portions of the City outside of the St. Charles County boundaries.

SERVICES TO BE PROVIDED	FEES	REFERENCED SECTIONS	INITIALS
Building Permitting (Only When Population < 6,000) All aspects of building permitting, review and inspections services for all building types, including burning and other fire prevention-related activities.	<u>Payable by Municipality:</u> NONE	OSCCMo 500.100, 500.150, 500.200, 500.220, 500.240, 500.260, 500.280, 500.300, 500.320, 500.400, 500.420, and 500.600	
	<u>Payable by Persons:</u> <i>If/As Applicable and Provided in Chapter 505 OSCCMo. and the Referenced Sections</i>		
Private Sewage Disposal / Septic All aspects of building permitting, review and inspections services related to the maintenance, installation, and reconfiguration of private sewage disposal systems (septic).	<u>Payable by Municipality:</u> NONE	OSCCMo 500.300	
	<u>Payable by Persons:</u> <i>If/As Applicable and Provided in Chapter 505 OSCCMo and the Referenced Section</i>		

<p>Blasting</p> <p>Permit the storage and use of explosives, including the random recording of ground movement and air blast during shots.</p>	<p><u>Payable by Municipality:</u></p> <p>NONE</p>	<p>OSCCMo 635.030, 635.050, 635.060, 635.070, 635.080, 635.090, 635.100, 635.110, 635.120, and 635.130</p>	
	<p><u>Payable by Persons:</u></p> <p><i>If/As Applicable and Provided in Section 635.150 OSCCMo</i></p>		
<p>Code Enforcement and Property Maintenance [*] (Only When Population < 6,000)</p> <p>Investigate complaints and enforce codes related to the maintenance of property including the prosecution of violators, hold hearings related to these activities, and the abatement of nuisances.</p>	<p><u>Payable by Municipality:</u></p> <p><i>One (1) Dollar per resident as recorded on the last decennial federal census</i></p>	<p>OSCCMo 500.500 500.510, 500.520, 500.530, 500.540, and 500.550</p>	
	<p><u>Payable by Persons:</u></p> <p><i>If/As Applicable and Provided in the Referenced Sections</i></p>		
<p>Building Damage Assessment [*] (Only When Population < 6,000)</p> <p>Perform after flood events, wind events, seismic events, or similar disasters as required for application and reporting to federal programs, such as the National Flood Insurance Program; perform Initial Assessment to identify property affected by the disaster, determine if the property is safe to occupy, and provide an estimated loss value of the structure; perform Detailed Assessments to provide a comprehensive list of repairs required for the structure to be repaired; prepare related reports, and provide data to municipality.</p>	<p><u>Payable by Municipality:</u></p> <p><i>Ten (10) dollars per Initial Assessment inspection and Ninety (90) dollars per Detailed Assessment inspection.</i></p>	<p>St. Charles County Emergency Management Plan – Emergency Support Function 17 (Building Damage Assessment)</p>	
	<p><u>Payable by Persons:</u></p> <p><i>Not Applicable</i></p>		

BILL NO. 1125

ORDINANCE NO. _____

**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.**

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

SECTION 1: That Missouri cities of the Fourth Class, Weldon Spring being such, have the authority to enact ordinances, regulations and codes in order to protect the public health, safety, and welfare, pursuant to the provision of Sections 79.450 and 89.040 RSMo. et seq.

SECTION 2: That the Board of Aldermen of the City of Weldon Spring hereby adopt the following codes and amendment thereto:

- a. The Fuel Gas Code of St, Charles County, Section 500.240, OSCCMo, as currently adopted, or replaced hereafter, and
- b. The Private Sewage Disposal Code of St, Charles County, Section 500.310, OSCCMo, as currently adopted, or replaced hereafter, and
- c. The Energy Conservation Code of St, Charles County, Section 500.320, OSCCMo, as currently adopted, or replaced hereafter, and
- d. The Swimming Pool and Spa Code of St, Charles County, Section 500.420, OSCCMo, as currently adopted, or replaced hereafter, and
- e. The Mobile & Manufacture Home Code of St, Charles County, Section 500.600, OSCCMo, as currently adopted, or replaced hereafter, and
- f. The Property Maintenance Code of St. Charles County, Sections 500.510, 500.520, 500.530, 500.540, and 500.550, OSCCMo, as currently adopted, or replaced hereafter, and
- g. The Explosive Code of St. Charles County, Sections 635.030, 635.050, 635.060, 635.070, 635.080, 635.090, 635.100, 635.110, 635.120, and 635.130, OSCCMo, as currently adopted, or replaced hereafter, and

Section 3. That this ordinance shall be in full force and effect upon its enactment and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF
WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 201__.

Presiding Officer/Mayor

Attest:

William C. Hanks, City Clerk

APPROVED BY THE MAYOR OF THE CITY OF WELDON SPRING THIS
_____ DAY OF _____, 2019.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill #1125

Motioned: _____
Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Clutter	_____	_____	_____
Hillmer	_____	_____	_____
Schwaab	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Baker	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

CITY OF WELDON SPRING, MISSOURI

INDEPENDENT AUDITOR'S REPORT
AND
FINANCIAL STATEMENTS

SEPTEMBER 30, 2018

CITY OF WELDON SPRING, MISSOURI

SEPTEMBER 30, 2018

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BATES CPA

Limited Liability Company

2031 Collier Corporate Parkway, Suite 101
St. Charles, MO 63303

Phone: (636) 947-8400
Fax: (636) 947-1191

INDEPENDENT AUDITOR'S REPORT

Honorable Mayor and Board of Aldermen
City of Weldon Spring, Missouri

Report on the Financial Statements

I have audited the accompanying financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of City of Weldon Spring, Missouri, as of and for the year ended September 30, 2018, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express opinions on these financial statements based on my audit. I conducted my audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinions.

Opinions

In my opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, each major fund, and the aggregate remaining fund information of the City of Weldon Spring, Missouri, as of September 30, 2018, and the respective changes in financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. I have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to my inquiries, the basic financial statements, and other knowledge I obtained during my audit of the basic financial statements. I do not express an opinion or provide any assurance on the information because the limited procedures do not provide me with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with Government Auditing Standards, I have also issued my report dated April 23, 2019, on my consideration of the City of Weldon Spring, Missouri's internal control over financial reporting and on my tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of my testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards in considering City of Weldon Spring, Missouri's internal control over financial reporting and compliance.

BATES CPA LLC

April 23, 2019

**CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018**

As management of the City of Weldon Spring, Missouri, we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2018. We encourage readers to consider the information presented here along with the City's financial statements, including the notes that follow this Management's Discussion and Analysis.

FINANCIAL HIGHLIGHTS

- On a government-wide basis the assets of the City exceeded its liabilities for the most recent fiscal year by \$21,365,266. The City has unrestricted net position of \$1,935,072.
- As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balance of \$3,777,367.
- At the end of the current fiscal year, unrestricted fund balance for the General Fund was \$1,817,752.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements are comprised of three components: 1) government-wide financial statements; 2) fund financial statements, and 3) notes to the basic financial statements. This report also contains required supplementary information in addition to the basic financial statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the City's finances in a manner similar to a private-sector business. Note the government-wide financial statements exclude fiduciary fund activities.

The statement of net position presents information on all of the City's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The statement of activities presents information showing how the City's net position changed during the most recent fiscal year.

The government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges. The governmental activities of the City include general government and court, law enforcement, parks and recreation and sewer administration and maintenance. The City does not have any business-type activities.

The government-wide financial statements can be found on pages 9 and 10 of this report.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City are considered governmental funds. The City does not have any fiduciary or proprietary funds at September 30, 2018.

**CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018**

Governmental Funds

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, the governmental fund financial statements utilize a current financial resources measurement focus as applied to the modified accrual basis of accounting. Only current financial assets and liabilities are generally included on their balance sheets. Their operating statements present sources and uses of available spendable financial resources during a given period. These funds use fund balance as their measure of available spendable financial resources at the end of the period. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financial decisions. Both the governmental fund balance sheet and the governmental fund statement of revenues, expenditures, and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and the government-wide governmental activities.

The City maintains several individual governmental funds, information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures, and changes in fund balance for the General Fund, Sewer Fund, Road and Bridge Fund, and Municipal Hall and Park Fund, all of which are considered to be major funds.

The City adopts an annual appropriated budget for its General Fund, Sewer Fund, Road and Bridge Fund, and Municipal Hall and Park Fund. Budgetary comparison statements have been provided for all major funds to demonstrate legal compliance with the respective adopted budget.

The governmental fund financial statements can be found on pages 11 and 12 of this report.

Fiduciary Funds

Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are not available to support the City's own programs. The City has no fiduciary funds.

Notes to the Basic Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the basic financial statements can be found on pages 14 through 19 of this report.

Required Supplementary Information

In addition to the basic financial statements and accompanying notes, certain required supplementary information can be found on pages 22 through 25 of this report.

CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018

GOVERNMENT-WIDE FINANCIAL ANALYSIS

A condensed version of the statement of net position follows:

<u>ASSETS</u>	<u>September 30, 2018</u>	<u>September 30, 2017, Restated</u>
Cash and other current assets	\$ 3,935,569	\$ 3,977,328
Capital assets, net	<u>17,657,899</u>	<u>17,773,594</u>
Total assets	<u>21,593,468</u>	<u>21,750,822</u>
 <u>LIABILITIES</u>		
Current liabilities	228,202	487,319
Non-current liabilities	<u>-</u>	<u>70,000</u>
Total liabilities	<u>228,202</u>	<u>557,319</u>
 <u>NET POSITION</u>		
Invested in capital assets, net of related debt	17,587,899	17,703,594
Restricted	189,762	2,347,695
Unrestricted	<u>3,587,605</u>	<u>1,142,214</u>
Total net position	<u>\$21,365,266</u>	<u>\$21,193,503</u>

As noted earlier, net position may serve over time as a useful indicator of a city's financial position. As illustrated above, in the case of the City of Weldon Spring, assets exceeded liabilities by \$21,365,266 at the close of September 30, 2018.

City of Weldon Spring's net position of \$17,587,899 (82 percent) reflects its investment in capital assets (e.g. land, buildings, machinery, and equipment); less any related debt used to acquire those assets that are still outstanding. The City of Weldon Spring uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending.

An additional portion of the City of Weldon Spring's net position of \$1,841,295 (9 percent) represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position of \$1,935,072 (9 percent) may be used to meet the government's ongoing obligations to citizens and creditors.

September 30, 2017 net position has been restated to reflect corrections described on pages 18 and 19 of the notes to the financial statements and to properly reduce investment in capital assets by the outstanding bond liability.

**CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018**

Governmental Activities

As illustrated below, 2018 governmental activities increased the City's net position by \$171,763. The City has no business activities.

	For the Year ended <u>September 30, 2018</u>	For the Year ended September 30, 2017, <u>Restated</u>
REVENUES		
Program revenues:		
Charges for services	\$ 246,894	\$ 116,990
Capital grants and contributions	583,185	2,344,365
Operating grants and contributions	220,020	216,311
General revenues:		
Taxes	324,994	537,776
Franchise Fees	437,820	458,186
Investment income	23,747	24,023
Miscellaneous	<u>15,796</u>	<u>78,217</u>
Total revenues	<u>1,852,456</u>	<u>3,775,868</u>
EXPENSES		
General government	462,707	498,610
Law enforcement	218,480	208,394
Parks and recreation	143,247	112,240
Road	256,135	624,801
Sewer admin and maintenance	3,544	8,778
Depreciation unallocated	<u>596,580</u>	<u>623,416</u>
Total expenses	<u>1,680,693</u>	<u>2,076,239</u>
CHANGE IN NET POSITION	171,763	1,699,629
NET POSITION, BEGINNING OF YEAR	<u>21,193,503</u>	<u>19,493,874</u>
NET POSITION, ENDING OF YEAR	<u>\$21,365,266</u>	<u>\$21,193,503</u>

**CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018**

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance related legal requirements.

Governmental Funds

The focus of the City's governmental fund is to provide information on inflows, outflows, and balances of available expendable resources. Such information is useful in assessing the City's financing requirements. In particular, unreserved fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year. At September 30, 2018 the combined fund balance was \$3,777,367.

The following is a comparative analysis of fund balance:

	<u>General</u>	<u>Sewer Revenue</u>	<u>Road and Bridges Fund</u>	<u>Municipal Hall and Park Fund</u>	<u>Total</u>
September 30, 2018	<u>\$ 1,817,752</u>	<u>\$ 117,320</u>	<u>\$ 189,762</u>	<u>\$ 1,652,533</u>	<u>\$ 3,777,367</u>
September 30, 2017	<u>\$ 1,984,694</u>	<u>\$ 130,841</u>	<u>\$ 25,855</u>	<u>\$ 1,418,520</u>	<u>\$ 3,559,910</u>
September 30, 2016	<u>\$ 1,513,392</u>	<u>\$ 153,153</u>	<u>\$ 120,183</u>	<u>\$ 1,197,216</u>	<u>\$ 2,983,944</u>

The General Fund is the chief operating fund of the City of Weldon Spring. As a measure of the General Fund's liquidity, it may be useful to compare general fund balance to general fund total expenditures. General fund balance represents 404% of general fund total expenditures. The fund balance in the City's General Fund decreased by \$166,942 or 8.4% from prior year fund balance.

CAPITAL ASSETS

The City has invested \$17,657,899 at September 30, 2018 in a broad range of capital assets, including land and land improvements, building, machinery and equipment, infrastructure, and construction in progress. This amount includes a net increase for the current fiscal year (including additions and deductions) of \$115,695. The City's capital assets, net of accumulated depreciation, consisted of:

	<u>September 30, 2018</u>	<u>September 30, 2017</u>
Land and land improvements	\$ 846,524	\$ 853,929
Building	442,502	462,163
Machinery and equipment	18,969	23,186
Infrastructure	16,094,885	13,833,319
Construction in progress	<u>255,019</u>	<u>2,600,997</u>
Total capital assets, net of accumulated depreciation	<u>\$17,657,899</u>	<u>\$17,773,594</u>

Additional information on the City's capital assets can be found on page 19 in Note 4 of the notes to the financial statements.

**CITY OF WELDON SPRING, MISSOURI
MANAGEMENT DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED SEPTEMBER 30, 2018**

LONG-TERM LIABILITIES

At the end of the fiscal year, the City has bonded debt outstanding of \$70,000. The amount is authorized by the issuance of General Obligations Neighborhood Improvements Bonds, Series 2001 for the purpose of permanently financing the Weldon Spring Neighborhood Sewer District Project. The bonds are payable from the proceeds of annual fees levied upon the property of the residents of the City of Weldon Spring.

BUDGETARY HIGHLIGHTS

The following significant variances occurred between 2018 budget and 2018 actual revenue and expenditures.

General

	<u>Actual</u>	<u>Budget</u>	
Planning and zoning permits	\$ 50,200	\$ 23,729	More development project applications were received than anticipated
City Planner	\$ 34,811	\$ 16,248	More development project applications were received than anticipated and costs were incurred to update municipal code

Road, Bridge and Public Safety Fund

Road grants	\$ 633,270	\$ 2,967,494	Road projects delayed
Road improvements	\$ 1,049,883	\$ 5,823,863	Road projects delayed

Municipal Hall and Park Fund

Park real improvements	\$ -	\$ 493,312	Projects postponed
Park trails	\$ -	\$ 35,000	Project postponed
Park master plan	\$ -	\$ 15,033	Project postponed

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

For the year-ending September 30, 2019, the City projects revenue of \$3,129,471 and expenditures of \$3,391,197 giving the City an ending fund balance of \$3,515,641 for all funds at September 30, 2019. The City projects revenue for the General Fund of \$553,100 and expenditures of \$520,675 giving the City an ending fund balance of \$1,850,177 in the General Fund at September, 30, 2019.

Requests for information

This financial report is designed to provide a general overview of the City's finances for all those with an interest in the City's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Michael Padella
City of Weldon Spring
5401 Independence Road
Weldon Spring, MO 63304

CITY OF WELDON SPRING, MISSOURI
STATEMENT OF NET POSITION
SEPTEMBER 30, 2018

Governmental
Activities

ASSETS

Current Assets

Cash and cash equivalents
Receivables

3,591,035
344,534

Total current assets

3,935,569

Capital assets (net of accumulated depreciation)

Land and land improvements
Building
Machinery and equipment
Infrastructure
Construction in progress

846,524
442,502
18,969
16,094,885
255,019

Total capital assets, net

17,657,899

Total assets

21,593,468

LIABILITIES

Current liabilities

Accounts payable
Accrued salaries and payroll taxes
Court bonds
Performance deposits
Bonds payable current

100,661
9,112
1,429
47,000
70,000

Total current liabilities

228,202

Total liabilities

228,202

NET POSITION

Invested in capital assets, net of related debt

17,587,899

Restricted for:

Road improvements

189,762
3,587,605

Unrestricted

Total net position

21,365,266

CITY OF WELDON SPRING, MISSOURI
STATEMENT OF ACTIVITIES
YEAR ENDED SEPTEMBER 30, 2018

FUNCTIONS/PROGRAMS	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities Net Revenue (Expenses)
Primary government					
Governmental activities					
General government and court	462,707	98,726	-	-	(363,981)
Law enforcement	218,480	66,347	220,020	-	67,887
Parks and recreation	143,247	20,502	-	-	(122,745)
Road	256,135	1,296	-	583,185	328,346
Sewer administration and maintenance	3,544	60,023	-	-	56,479
Unallocated depreciation	596,580	-	-	-	(596,580)
Total governmental activities	1,680,693	246,894	220,020	583,185	(630,594)
GENERAL REVENUES					
Sales tax					324,994
Franchise fees					437,820
Unrestricted investment income					23,747
Other					15,796
Total general revenue					802,357
CHANGE IN NET POSITION					171,763
NET POSITION,					
BEGINNING OF YEAR, RESTATED					21,193,503
NET POSITION, END OF YEAR					21,365,266

See Notes to Financial Statements

CITY OF WELDON SPRING, MISSOURI
BALANCE SHEET - GOVERNMENTAL FUNDS
SEPTEMBER 30, 2018

	General	Municipal Hall and Park Fund	Road, Bridge and Public Safety Fund	Nonmajor Sewer Fund	Total Governmental Funds
ASSETS					
Pooled cash and cash equivalents	1,795,755	1,632,438	-	117,320	3,545,513
Other cash and cash equivalents	45,522	-	-	-	45,522
Receivables	49,474	21,553	273,507	-	344,534
Due from other fund	-	-	-	-	-
Total assets	1,890,751	1,653,991	273,507	117,320	3,935,569
LIABILITIES AND FUND BALANCE					
Liabilities:					
Accounts payable	16,916	-	83,745	-	100,661
Accrued salaries and payroll taxes	7,654	1,458	-	-	9,112
Due to other fund	-	-	-	-	-
Court bonds	1,429	-	-	-	1,429
Performance deposits	47,000	-	-	-	47,000
Total liabilities	72,999	1,458	83,745	-	158,202
Fund balance:					
Restricted for:					
Road and bridge improvements	-	-	189,762	-	189,762
Committed for:					
Municipal hall and park improvements	-	1,652,533	-	-	1,652,533
Sewer lateral repairs	-	-	-	117,320	117,320
Unassigned	1,817,752	-	-	-	1,817,752
Total fund balance	1,817,752	1,652,533	189,762	117,320	3,777,367
Total liabilities and fund balance	1,890,751	1,653,991	273,507	117,320	

Amounts reported for governmental activities in the statement of net assets are different because:

Capital assets of \$23,414,950 net of accumulated depreciation of \$5,757,051, are not financial resources and, therefore, are not reported in the funds	17,657,899
Bonds payable are not reported in the funds	(70,000)
	<u>21,365,266</u>

See Notes to Financial Statements

CITY OF WELDON SPRING, MISSOURI
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES - GOVERNMENTAL FUNDS
YEAR ENDED SEPTEMBER 30, 2018

	General	Municipal Hall and Park Fund	Road, Bridge and Public Safety Fund	Nonmajor Sewer Fund	Total Governmental Funds
REVENUES					
Taxes	-	324,994	220,020	57,550	602,564
Franchise fees	437,820	-	-	-	437,820
Permits, licenses and applications	98,726	-	-	-	98,726
Court fines	66,346	-	-	-	66,346
Grants	-	-	583,185	-	583,185
Rentals	-	4,243	-	-	4,243
Other	2,129	9,371	1,296	-	12,796
Interest	23,747	20,502	-	2,473	46,722
Total revenues	628,768	359,110	804,501	60,023	1,852,402
EXPENDITURES					
Current:					
General government and court	438,884	-	-	1,832	438,716
Law enforcement	-	-	218,480	-	218,480
Parks and recreation	-	101,145	-	-	101,145
Occupancy	-	17,536	-	-	17,536
Road and bridge	-	-	768,303	-	768,303
Capital outlay	12,637	6,416	-	754	19,807
Debt service:					
Principal	-	-	-	70,000	70,000
Interest	-	-	-	958	958
Total expenditures	449,521	125,097	986,783	73,544	1,634,945
REVENUES OVER (UNDER) EXPENDITURES	179,247	234,013	(182,282)	(13,521)	217,457
OTHER FINANCING SOURCES					
Operating transfers in (out)	(346,189)	-	346,189	-	-
NET CHANGES IN FUND BALANCE	(166,942)	234,013	163,907	(13,521)	217,457
FUND BALANCE, BEGINNING OF YEAR, RESTATED	1,984,694	1,418,520	25,855	130,841	3,559,910
FUND BALANCE, END OF YEAR	1,817,752	1,652,533	189,762	117,320	3,777,367

See Notes to Financial Statements

CITY OF WELDON SPRING, MISSOURI

RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE – GOVERNMENTAL FUNDS TO THE
STATEMENT OF ACTIVITIES

YEAR ENDED SEPTEMBER 30, 2018

Amounts reported for *governmental activities* in the statement of activities are different because:

Net change in fund balance – total governmental funds	217,457
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation of \$627,862 exceeded capital asset additions of \$512,168 in the current period	(115,694)
Payments of bonds principal and long-term note principal are expenditures in the governmental funds, but the payments reduce long-term liabilities in the statement of net assets. This is the amount of current year bond principal payments.	<u>70,000</u>
Change in net position of governmental activities	<u>171,763</u>

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. REPORTING ENTITY

The City of Weldon Spring, Missouri, (the City) was incorporated on November 18, 1984 and established a Mayor-Board of Aldermen form of government. The City's major operations include general administrative services, planning and zoning activities, road development, park development and management, and sewer construction.

In evaluating how to define the reporting entity, for financial statement purposes, management has considered all potential component units. The decision to include a potential component unit was made by applying the criteria set forth in GAAP which defines the reporting entity as the primary government and those component units for which the primary government is financially accountable. Financial accountability is defined as appointment of a voting majority of the component unit's board, and either a) the ability to impose will by the primary government, or b) the possibility that the component unit will provide a financial benefit to or impose a financial burden on the primary government.

B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

Government-wide Financial Statements

The government-wide financial statements include the statement of net assets and the statement of activities. These statements report information on all of the nonfiduciary activities of the primary government and its component units. For the most part, the effect of interfund activity has been removed from these statements. Individual funds are not displayed but the statements distinguish *governmental activities*, which normally are supported by taxes and City general revenues, from *business-type activities*, which rely to a significant extent on fees and charges to external customers for support. The City has no business-type activities.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment is offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services or privileges provided by a given function or segment and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as *general revenues*.

Fund Financial Statements

Separate financial statements are provided for governmental funds and fiduciary funds, even though the latter are excluded from the government-wide financial statements. Major individual governmental funds are reported as separate columns in the fund financial statements.

The City reports the following major governmental funds:

General Fund – is the primary operating fund of the City. It is used to account for all financial resources except those required to be accounted for in another fund.

Road and Bridge Special Revenue Fund – is used to account for certain revenues legally restricted to expenditures for the construction or servicing of roads and bridges.

Municipal Hall and Park Special Revenue Fund – is used to account for certain revenues restricted for maintenance of the municipal city hall and park.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES. (Continued)

C. MEASUREMENT FOCUS, BASIS OF ACCOUNTING AND FINANCIAL STATEMENT PRESENTATION

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current purpose. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to claims and judgment, are recorded when payment is due.

D. DEPOSITS AND INVESTMENTS

The City's cash and cash equivalents are considered to be cash on hand, demand deposits, and short term investments with original maturities of three months or less from date of acquisition.

The surplus funds of the City may be legally invested in any of the securities identified as eligible in Section 30.270 of Missouri State Statutes. The City has no investments at September 30, 2018.

E. CAPITAL ASSETS, DEPRECIATION AND AMORTIZATION

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, bridges, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated fair market value at the date of donation.

During the implementation of GASB 34, the City elected not to report general infrastructure assets retroactively. Therefore, no general infrastructure assets purchased or placed in service prior to October 1, 2003 are included in the statement of net assets.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES. (Continued)

Property, plant, and equipment of the primary government is depreciated using the straight line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings	40
Land and building improvements	20
Infrastructure	30
Park equipment	10
Heavy maintenance equipment	10
Vehicles	5
Office equipment	5
Computer equipment	5

F. COMPENSATED ABSENCES

Full time employees are granted vacation and sick leave based on length of service. Vacation accrues on January 1 of each year. An employee may carryover no more than eighty hours of vacation to the following calendar year. Upon termination, the employee is paid for unused vacation.

Unused sick leave is paid out during each January at 50% of the employees total remaining unused balance of sick leave as of December 31st. Employee's leaving employment voluntarily are paid a percentage of the remaining unused balance of sick leave based on years of service.

The unpaid liability for compensated absences totaled \$7,141 at September 30, 2018.

G. LONG-TERM LIABILITIES

In the government-wide financial statements, bonds payable are reported as a liability in the statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method, if any. Bonds payable are reported net of the applicable bond premium or discount.

In the fund financial statements, long-term debt principal payments are recognized as expenditures during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

H. NET POSITION

Net position represents the difference between assets, deferred outflows, liabilities and deferred inflows. Net investment in capital assets consist of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvement of those assets. Net position is reported as restricted when there are limitations imposed on its use through external restrictions imposed by creditors or grantors, or laws or regulations of other governments. \$ of the net position at September 30, 2018 is restricted by enabling legislation. When both restricted and unrestricted assets are available for use, it is the City's policy to use externally restricted assets first.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (Continued)

I. FUND BALANCE

In the fund financial statements, governmental funds report aggregate amounts for five classifications of fund balances based on the constraints imposed on the use of these resources. The nonspendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form – prepaid items or inventories; or (b) legally or contractually required to be maintained intact.

The spendable portion of the fund balance comprises the remaining four classifications: restricted, committed, assigned, and unassigned.

Restricted fund balance – This classification reflects the constraints imposed on resources either (a) externally by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed fund balance – These amounts can only be used for specific purposes pursuant to constraints imposed by formal resolutions or ordinances of the Board of Aldermen – the government's highest level of decision making authority. Those committed amounts cannot be used for any other purpose unless the Board of Aldermen removes the specified use by taking the same type of action imposing the commitment. This classification also includes contractual obligations to the extent that existing resources in the fund have been specifically committed for use in satisfying those contractual requirements.

Assigned fund balance – This classification reflects the amounts constrained by the City's "intent" to be used for specific purposes, but are neither restricted nor committed. The City's Board of Aldermen has the authority to assign amounts to be used for specific purposes. Assigned fund balance include all remaining amounts (except negative balances) that are reported in the governmental funds, other than the General Fund, that are not classified as nonspendable and are neither restricted nor committed.

Unassigned fund balance – This fund balance is the residual classification for the General Fund. It is also used to report negative fund balances in other governmental funds.

When both restricted and unrestricted resources are available for use, the City will spend amounts in the order of restricted, committed, then assigned.

J. USE OF ESTIMATES

The preparation of financial statements requires the City to make estimates and assumptions that affect the reported amounts of assets and liabilities at fiscal year-end and revenues and expenditures during the reporting period. Actual results could differ from those estimates.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (Continued)

K. PRIOR PERIOD CORRECTIONS

Certain receivables and payables were not included in the previously issued September 30, 2017 financial statements. Also, long-term capital assets, capital outlay expenditures and depreciation were misstated in the previously issued September 30, 2017 financial statements due to errors in applying the City's capitalization policy and failure to recognize completed projects.

The impact of the corrections on the government-wide net position and fund balances as previously reported as of September 30, 2017 follows:

	<u>Governmental Activities</u>	<u>General Fund</u>	<u>Road, Bridge and Public Safety Fund Activities</u>
Net position, previously reported September 30, 2017	\$21,277,704	\$ 1,963,356	\$ 77,220
Record fund balance franchise fees receivable	21,338	21,338	-
Record grant receivable	304,306	-	304,305
Record payable for road improvements	(355,670)	-	(355,670)
Expenditures incorrectly capitalized	(26,848)	-	-
Correct 2017 depreciation	(27,327)	-	-
Net position, restated September 30, 2017	<u>\$21,193,503</u>	<u>\$ 1,984,694</u>	<u>\$ 25,855</u>

NOTE 2: DEPOSITS AND INVESTMENTS

The City maintains a deposit pool that is available for use by all funds. Each fund's portion of the pool is displayed on the balance sheet.

Deposits

Custodial Credit Risk for deposits is the risk that in the event of a bank failure, the City's deposits may not be returned or the City will not be able to recover collateral securities in the possession of an outside party. The City's bank deposits are required by state law to be secured by the deposit of certain securities specified at RSMo 30.270 with the City or trustee institution. The value of the securities must amount to the total of the City's cash not insured by the Federal Deposit Insurance Corporation.

At September 30, 2018 all cash and cash equivalents were fully insured or collateralized with securities held by the City or by its agent in the City's name.

NOTE 3: RESTRICTED ASSETS

Restricted assets are reported in various funds for cash deposited legally restricted for specific uses such as municipal hall and park costs, road improvements and sewer maintenance and debt service payments. See Note 1 H and I describing the priority for use of restricted and unrestricted assets.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 4: CAPITAL ASSETS

Capital asset activity for the year ended September 30, 2018 was as follows:

	Balance September 30 2017, restated	2018 Increases	2018 Decreases	Ending Balance September 30 2018
Governmental activities:				
Capital assets, not being depreciated:				
Land	\$ 782,382	\$ -	\$ -	\$ 782,382
Construction in progress	<u>2,600,997</u>	<u>236,609</u>	<u>2,582,587</u>	<u>255,019</u>
Total capital assets, not being depreciated	<u>3,383,379</u>	<u>236,609</u>	<u>2,582,587</u>	<u>1,037,401</u>
Capital assets being depreciated:				
Land improvements	148,088	-	-	148,088
Buildings	686,507	-	-	686,507
Machinery and equipment	187,332	-	-	187,332
Infrastructure	<u>18,497,477</u>	<u>2,858,145</u>	<u>-</u>	<u>21,355,622</u>
Total capital assets being depreciated	<u>19,519,404</u>	<u>2,858,145</u>	<u>-</u>	<u>22,377,549</u>
Less accumulated depreciation for:				
Land improvements	(76,541)	(7,405)	-	(83,946)
Buildings	(224,344)	(19,661)	-	(244,005)
Machinery and equipment	(164,146)	(4,217)	-	(168,363)
Infrastructure	<u>(4,664,158)</u>	<u>(596,579)</u>	<u>-</u>	<u>(5,260,737)</u>
Total accumulated depreciation	<u>(5,129,189)</u>	<u>(627,862)</u>	<u>-</u>	<u>(5,757,051)</u>
Total capital assets being depreciated, net	<u>14,390,215</u>	<u>2,230,283</u>	<u>-</u>	<u>16,620,498</u>
Governmental activities capital assets, net	<u>\$ 17,773,594</u>	<u>\$ 2,466,892</u>	<u>\$ 2,582,587</u>	<u>\$ 17,657,899</u>

Depreciation expense was charged to functions/programs of the City as follows:

Governmental activities:

General government	\$ 13,132
Parks	18,150
Infrastructure (unallocated)	<u>596,580</u>
Total depreciation expense governmental activities	<u>\$ 627,862</u>

The balances at September 30, 2017 were restated for the following prior period corrections:

	Construction In Progress	Building	Machinery and Equipment	Infrastructure	Accumulated Depreciation
Previously stated	\$ 3,607,953	\$ 689,679	\$ 207,969	\$ 17,493,559	\$(5,101,863)
Road project completed prior to September 30, 2017	(1,006,956)	-	-	1,006,956	(33,565)
Expenditures less than Restated Capitalization threshold	<u>-</u>	<u>(3,172)</u>	<u>(20,637)</u>	<u>(3,038)</u>	<u>6,239</u>
	<u>\$ 2,600,997</u>	<u>\$ 686,507</u>	<u>\$ 187,332</u>	<u>\$ 18,497,477</u>	<u>\$ 5,129,189</u>

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 5: LONG-TERM DEBT

General Obligation Neighborhood Improvement Bonds Series 2001

On November 11, 2001 the Board of Aldermen authorized the issuance of \$1,040,000 General Obligation Neighborhood Improvement Bonds (State Revolving Fund Program) Series 2001 for the purpose of permanently financing the Weldon Spring Neighborhood Sewer District Project and paying in full the Neighborhood Improvement District Notes (State Revolving Fund – Direct Loan Program) Series 1999.

The changes in general long-term debt during the year ended September 30, 2018 related to governmental activities are summarized as follows:

	Balance September 30, 2017	Additions	Retirements	Balance September 30, 2018	Due Within One Year
General Obligation Neighborhood Improvement Bonds, Series 2001, original amount of \$1,040,000; bearing interest at an annual rate ranging from 3.0% to 5.375%	\$ 140,000	\$ -	\$ 70,000	\$ 70,000	\$ 70,000

Interest paid during 2018 totaled \$957.

The following is a summary of maturities of long-term debt as of September 30, 2018:

<u>Year ending September 30</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2019	70,000	1,882	71,882
Total Payments	\$ 70,000	\$ 1,882	\$ 71,882

NOTE 6: INTERFUND TRANSACTIONS

During 2018, \$346,189 was transferred from the General Fund to the Road, Bridge and Public Safety Fund to fund road improvements.

NOTE 7: COMMITMENTS

Subsequent to September 30, 2018, the City committed to road improvements to Independence Road pursuant to certain contracts totaling \$1,995,422. A substantial portion of these costs will continue to be funded from grants from the Missouri Department of Revenue and St. Charles County. This project is scheduled to be completed during 2019.

NOTE 8: CONTINGENCIES

The City is a plaintiff in legal proceedings covering various matters that have arisen in the ordinary course of its activities. The outcomes of these various proceedings cannot be determined at this time.

NOTE 9: COURT FINES

Total court fine revenues of \$66,346 represent 6.96% of general operating revenues.

CITY OF WELDON SPRING, MISSOURI

NOTES TO FINANCIAL STATEMENTS

NOTE 10: RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City purchases commercial insurance for all risks of loss.

There have been no insurance settlements exceeding coverage for each of the past three years.

NOTE 11: DATE OF MANAGEMENT REVIEW

Subsequent events have been evaluated through April 23, 2019, which is the date the financial statements were available to be issued.

SUPPLEMENTARY INFORMATION SECTION

CITY OF WELDON SPRING
REQUIRED SUPPLEMENTARY SCHEDULE 1
GENERAL FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
BUDGET AND ACTUAL (BUDGET BASIS)
YEAR ENDED SEPTEMBER 30, 2018

	Original Budget	Final Budget	Actual - Budget Basis	Variance with Final Budget - Positive (Negative)
REVENUES				
Franchise Fees	448,356	448,356	409,684	(38,672)
Permits, licenses and applications	72,396	72,396	98,726	26,330
Courts	50,520	50,520	66,346	15,826
Other	3,857	3,857	2,129	(1,728)
Interest	11,249	11,249	23,747	12,498
Total revenues	586,378	586,378	600,632	14,254
EXPENDITURES				
Payroll	261,434	261,434	237,080	24,354
Payroll taxes and benefits	31,834	31,834	26,207	5,627
City attorney	14,302	14,302	16,414	(2,112)
City engineer	21,488	21,488	20,452	1,036
City planner	16,248	16,248	29,979	(13,731)
Other professional fees	38,367	38,367	15,299	23,068
Insurance	17,357	17,357	14,959	2,398
Other administrative costs	72,683	72,683	65,410	7,273
Total administrative	473,713	473,713	425,800	47,913
Capital outlay	5,550	5,550	12,637	(7,087)
Total expenditures	479,263	479,263	438,437	40,826
REVENUES OVER (UNDER) EXPENDITURES	107,115	107,115	162,195	55,080
OTHER FINANCING SOURCES				
Operating transfers in (out)	(438,399)	(438,399)	(346,189)	92,210
NET CHANGE IN FUND BALANCE	(331,284)	(331,284)	(183,994)	147,290
RECONCILING ITEMS TO ADJUST FROM BUDGETARY BASIS TO MODIFIED ACCRUAL BASIS				
Accounts receivable 9/30/17			(21,338)	
Accounts receivable 9/30/18			49,474	
Accounts payable 9/30/17			-	
Accounts payable 09/30/18			(16,487)	
Accrued wages 9/30/17			10,944	
Accrued wages 09/30/18			(5,541)	
			<u>17,052</u>	
NET CHANGE IN FUND BALANCE - MODIFIED ACCRUAL BASIS			<u>(166,942)</u>	

See Independent Auditor's Report

CITY OF WELDON SPRING
REQUIRED SUPPLEMENTARY SCHEDULE 2
MUNICIPAL HALL AND PARK FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
BUDGET AND ACTUAL (BUDGET BASIS)
YEAR ENDED SEPTEMBER 30, 2018

	Original Budget	Final Budget	Actual - Budget Basis	Variance with Final Budget - Positive (Negative)
REVENUE				
Taxes	307,269	307,269	328,102	20,833
Rentals and other	16,436	16,436	13,614	(2,822)
Interest	8,289	8,289	20,502	12,213
Total revenues	331,994	331,994	362,218	30,224
EXPENDITURES				
Occupancy	16,519	16,519	17,536	(1,017)
Park and recreation	106,000	106,000	104,049	1,951
Capital outlay	570,676	570,676	6,416	564,260
Total expenditures	693,195	693,195	128,001	565,194
NET CHANGE IN FUND BALANCE	<u>(361,201)</u>	<u>(361,201)</u>	234,217	<u>595,418</u>
RECONCILING ITEMS TO ADJUST FROM BUDGETARY BASIS TO MODIFIED ACCRUAL BASIS				
Accounts receivable 9/30/17			(24,661)	
Accounts receivable 9/30/18			21,553	
Accounts payable 9/30/17			1,188	
Accounts payable 9/30/18			-	
Accrued wages 9/30/017			3,045	
Accrued wages 9/30/18			(1,329)	
			<u>(204)</u>	
NET CHANGE IN FUND BALANCE - MODIFIED ACCRUAL BASIS			<u>234,013</u>	

See Independent Auditor's Report

CITY OF WELDON SPRING
REQUIRED SUPPLEMENTARY SCHEDULE 3
ROAD, BRIDGE AND PUBLIC SAFETY FUND
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE -
BUDGET AND ACTUAL (BUDGET BASIS)
YEAR ENDED SEPTEMBER 30, 2018

	Original Budget	Final Budget	Actual - Budget Basis	Variance with Final Budget - Positive (Negative)
REVENUES				
Taxes	219,599	219,599	218,844	(755)
Grants	2,967,494	2,967,494	633,270	(2,334,224)
Contributions	-	-	-	-
Interest	-	-	-	-
Other	995	995	1,296	301
Total revenues	3,188,088	3,188,088	853,410	(2,334,678)
EXPENDITURES				
Road and bridge	5,823,836	5,823,836	1,049,883	4,773,953
Law enforcement	214,646	214,646	218,480	(3,834)
Total expenditures	6,038,482	6,038,482	1,268,363	4,770,119
REVENUES OVER (UNDER)				
EXPENDITURES	(2,850,394)	(2,850,394)	(414,953)	2,435,441
OTHER FINANCING SOURCES				
Operating transfers in (out)	-	-	346,189	346,189
NET CHANGES IN FUND BALANCE	(2,850,394)	(2,850,394)	(68,764)	2,781,630
RECONCILING ITEMS TO ADJUST FROM BUDGETARY BASIS TO MODIFIED ACCRUAL BASIS				
Accounts receivable 9/30/17			(322,416)	
Accounts receivable 9/30/18			273,507	
Accounts payable 9/30/17			355,671	
Accounts payable 9/30/18			(74,091)	
			<u>232,671</u>	
NET CHANGE IN FUND BALANCE - MODIFIED ACCRUAL BASIS			<u>163,907</u>	

See Independent Auditor's Report

CITY OF WELDON SPRING, MISSOURI
REQUIRED SUPPLEMENTAL INFORMATION
NOTE TO SCHEDULES OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES –
BUDGET AND ACTUAL
YEAR ENDED SEPTEMBER 30, 2018

BUDGET POLICY AND PRACTICE

Annual appropriated budgets are adopted for all governmental funds. Budgets are adopted in accordance with the modified basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America (GAAP). Accordingly, budgeted revenues do not reflect revenues earned but not received and budgeted expenditures do not include expenditures incurred by not paid. The City follows these procedures in establishing its annual budgets as reflected in the financial statements:

- a) The proposed budget is submitted to the Board of Aldermen for the fiscal year. The operating budget includes proposed expenditures and means of financing them, not to exceed the total revenue of the preceding year plus any unreserved balance at the end of such year.
- b) Public hearings are conducted in the City to obtain taxpayer input and comment.
- c) The budget must be adopted by the affirmative vote of a majority of the Board of Aldermen for each fiscal year.
- d) During the year, the Board of Aldermen may authorize supplemental appropriations to the budget.
- e) All appropriations not spent lapse at fiscal year-end.

A reconciliation of the modified cash basis budget to the GAAP basic financial statements is provided for each major fund.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING SECTION 605.030 (ORDINANCE #94-38), KNOWN AS SOLICITATION OF PRIVATE RESIDENCES, IN ITS ENTIRETY 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:

SECTION 1: 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. The solicitor's license fee shall be twenty-five (\$25.00) per application. The duration of each license shall be a maximum of seven (7) days or one (1) week.

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 dusk.

F. **Unlawful Activities.** 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 TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF
WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 201__.

Presiding Officer/Mayor

Attest:

William C. Hanks, City Clerk

APPROVED BY THE MAYOR OF THE CITY OF WELDON SPRING THIS
____ DAY OF _____, 2019.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill

Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Clutter	_____	_____	_____
Hillmer	_____	_____	_____
Schwaab	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Baker	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____