



**CITY OF WELDON SPRING  
BOARD OF ALDERMEN REGULAR MEETING  
ON TUESDAY, JANUARY 12, 2021, AT 7:30 P.M.  
WELDON SPRING CITY HALL  
5401 INDEPENDENCE ROAD  
WELDON SPRING, MISSOURI 63304**

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

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

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

**<https://us02web.zoom.us/j/89768967517?pwd=cHI5NEhMTZ6aWxKT3BCaFd2dnRNQT09>**

**Meeting ID: 897 6896 7517**

**Password: BOA21012**

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

**Meeting ID: 897 6896 7517**

**Password: 47146775**

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

**PAGE 1 OF 2**

This notice was posted at 5401 Independence Road on 1.8.21 at 12:30pm by [Signature]



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

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

- 1. CALL TO ORDER**
- 2. ROLL CALL and DETERMINATION OF A QUORUM**
- 3. CITIZENS COMMENTS**
- 4. APPROVAL OF MINUTES**
  - A. December 8, 2020 – Regular Board Meeting Minutes
- 5. CITY TREASURER**
  - A. Paid Bills (12-3-20 – 12-31-20)
- 6. UNFINISHED BUSINESS**
  - A. Bill #1158 - An Ordinance Authorizing an Agreement with the Missouri Office of State Court Administrator (OSCA) for Implementation of the Show-Me Courts (SMC) Automation Surcharge of Seven Dollars (\$7.00) on Municipal Cases in Order to Assist Payment Thereof and Amending the Municipal Code Relating Thereto – **Alderman Schwaab**
- 7. NEW BUSINESS**
  - A. An Ordinance Authorizing the Execution of an Agreement Between the City of St. Peters, Missouri, and the City of Weldon Spring, Missouri, for the Improvements associated with the Sammelman Road Improvement Project – **Alderman Yeager**
- 8. REPORTS & COMMITTEES**
  - A. City Administrator
  - B. City Attorney
  - C. Legislative Report – City Clerk
  - D. Parks & Recreation Advisory Committee
- 9. RECEIPTS & COMMUNICATIONS**
- 10. ADJOURNMENT**

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

**PAGE 2 OF 2**

This notice was posted at 5401 Independence Road on 1-8-21 at 12:20 PM *C. Yeager*



CITY OF WELDON SPRING  
REGULAR MEETING OF THE BOARD OF ALDERMEN  
DECEMBER 8, 2020

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

**CALL TO ORDER:** The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, December 8, 2020 at approximately 7:30 PM. The meeting was held virtually via zoom. Mayor 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 Yeager
Ward 2:	Alderman Schwaab	Alderman Kolb
Ward 3:	Alderman Martiszus	Alderman Baker

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

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

**MINUTES:** November 10, 2020, Board Minutes - Alderman Baker moved to approve the minutes as written from the November 10 , 2020, regular meeting as written, seconded by Alderman Yeager. **Motion carried** with 5 ayes.

**TREASURER'S REPORT:** Alderman Baker made a motion to accept the Treasurer's packet of paid bills November 3, 2020, to December 2, 2020. The motion was seconded by Alderman Martiszus. The **motion carried** with 5 ayes.

**OLD BUSINESS:**

**Bill #1158 - An Ordinance Authorizing an Agreement with the Missouri Office of State Court Administrator (OSCA) for Implementation of the Show-Me Courts (SMC) Automation Surcharge of Seven Dollars (\$7.00) on Municipal Cases in Order to Assist Payment Thereof and Amending the Municipal Code Relating Thereto:** There was no action taken on this Bill #1158 and remains tabled.

**Bill #1159 - An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Weldon Spring, County of St. Charles, State of Missouri; Establishing the Same; Providing for the Repeal of Certain Ordinances not Included Therein, Except as Herein Expressly Provided; Providing for the Manner of Amending such Code of Ordinances; Providing Penalty for the Violation Thereof; and Providing when this Ordinance Shall Become Effective:** Alderman Yeager made a motion to approve Bill

#1159 for its second and final reading by title only. Alderman Baker seconded the motion. On a roll call vote, the Bill #1159 was placed as Ordinance 20-24 as followed:

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

**Bill #1160 - An Ordinance Authorizing the Mayor of the City of Weldon Spring, Missouri, to Execute an Agreement with St. Charles County for Certain Law Enforcement Services, Including Patrol Services & Enforcement of Certain Municipal Ordinances Related to Police Services & Matters Relating Thereto:**

Alderman Martiszus made a motion to approve Bill #1160 for its second and final reading by title only. Alderman Schwaab seconded the motion. On a roll call vote, the Bill #1160 was placed as Ordinance 20-25 as followed:

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

**NEW BUSINESS:**

**Escrow releases for 5 Upper Whitmoor:** Alderman Martiszus made a motion to release \$5,000.00 from escrow for the house construction at 5 Upper Whitmoor, seconded by Alderman Schwaab. **Motion carried** with 5 ayes.

**REPORTS AND COMMITTEES:**

**PRAC Committee:** Nick Baldecchi, the Chairman for the Parks & Recreation Advisory Committee, stated that the next meeting is scheduled for Monday, December 14, 2020

**CLOSED SESSION:**

Alderman Baker made a motion to go into closed session according to Missouri State Statute 610.021 paragraph (1) – legal actions, cause of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body and its representatives and its attorneys - at 7:41 PM, seconded by Alderman Martiszus and the **motion carried** on a roll call vote:

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

Alderman Baker made a motion to go into open session at 7:48 PM, seconded by Alderman Schwaab and the **motion carried** on a roll call vote:

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

Alderman Baker made a motion to follow the recommendation to let the court matter unfold, seconded by Alderman Martiszus. **Motion carried** with 5 ayes

**ADJOURNMENT:**

Alderman Kolb moved to adjourn the meeting at 7:52 PM, seconded by Alderman Martiszus. **Motion carried** with 5 ayes.

Respectfully submitted,

---

William C. Hanks, City Clerk



# CITY OF WELDON SPRING

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

## MEMORANDUM

To: Board of Aldermen  
From: William C. Hanks, City Clerk  
Subject: Bill #1158 – An Ordinance Imposing a Court Automation Surcharge  
CC: Michael Padella, City Administrator

Date: 1/8/21

To meet the 21<sup>st</sup> Century technology needs for all the courts in the State, the Office of State Courts Administrator (OSCA), at the direction of the Missouri Supreme Court Automation Committee (MCA) and Change Control Subcommittee (CCSC), developed Show-Me Courts (SMC) software, which is a record and case management system.

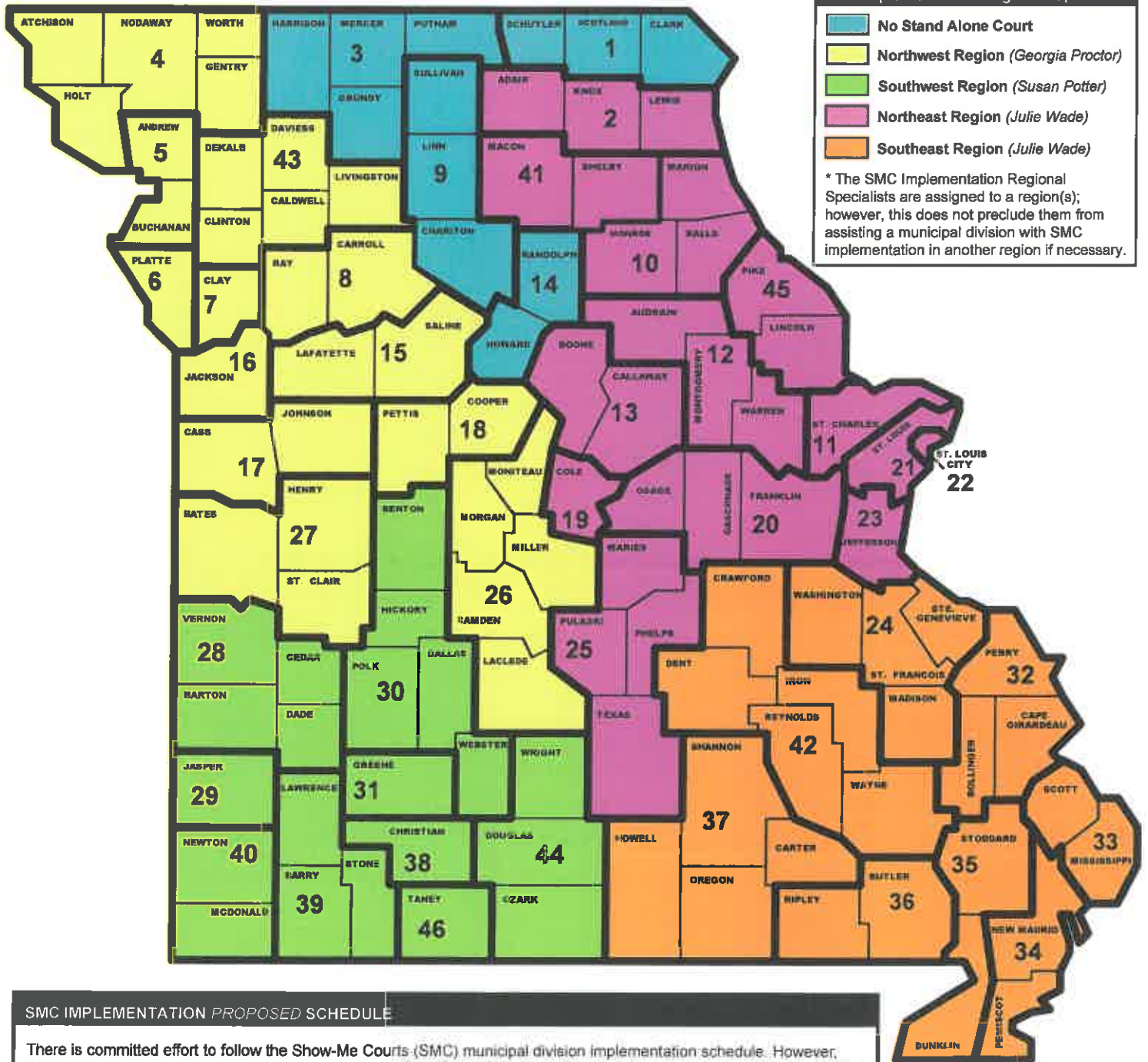
The Missouri Constitution grants power to the Supreme Court of Missouri on supervisory authority over all courts in Missouri. Additionally, Section 479.020(5) of the Missouri Revised State Statutes provides that municipal divisions are a division of the circuit court. Weldon Spring Municipal Court is a division of the 11<sup>th</sup> Judicial Circuit, which includes all municipal courts in St. Charles County.

On February 1, 2021, the 11<sup>th</sup> Judicial Circuit is required to implement Show-Me Courts Automation Software. As part of this requirement, the passage of Bill #1158 is necessary to include an additional \$7.00 surcharge to court costs, which will be turned over to the State of Missouri to help finance this software and any enhancements that might develop. Bill #1158 will have no financial impact on the City of Weldon Spring's budget since all funds will be turned over to the State of Missouri.

# Missouri's 46 Judicial Circuits

## SMC Implementation - Municipal Divisions of the Circuit Court

MCA Implementation Planning Task Team  
Approved July 20, 2020



### SMC IMPLEMENTATION PROPOSED SCHEDULE

There is committed effort to follow the Show-Me Courts (SMC) municipal division implementation schedule. However, there could be unforeseen circumstances that may impact the process. If this should occur, an updated schedule will be made available as quickly as possible so courts can make necessary adjustments.

Region - # of Courts	Send PJ Letter	Implementation	Training	Live (on or before)
SW Region - 61	Dec 2, 2019	Dec 2-Oct 1, 2020	Mar-Aug, 2020	Oct 1, 2020
NE Region - 80	Aug 1, 2020	Aug 1, 2020-Feb 1, 2021	Oct-Dec, 2020	Feb 1, 2021
SE Region - 56	Nov 1, 2020	Nov 1, 2020-May 1, 2021	Jan-Mar, 2021	May 1, 2021
NW Region - 71	Feb 1, 2021	Feb 1-Sept 1, 2021	Apr-July, 2021*	Sept 1, 2021

\*Extra month added for volume of NW Region and Kansas City Municipal Division implementation



BILL NO. 1158

ORDINANCE NO. \_\_\_\_\_

\*\*\*\*\*

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE  
MISSOURI OFFICE OF STATE COURTS ADMINISTRATOR (OSCA) FOR  
IMPLEMENTATION OF THE SHOW-ME COURTS (SMC) AUTOMATION  
SURCHARGE OF SEVEN DOLLARS (\$7.00) ON MUNICIPAL CASES IN  
ORDER TO ASSIST IN PAYMENT THEREOF AND  
AMENDING THE MUNICIPAL CODE RELATING THERETO**

\*\*\*\*\*

**WHEREAS**, in July 2017, the Missouri Automation Committee (MAC) set a policy objective to implement a statewide court automation system as mandated under Section 467.055 RSMO for all divisions of the circuit courts in order to streamline case management; and

**WHEREAS**, in August 2018, the Missouri Automation Committee (MAC) adopted an implementation plan designating Show-Me-Courts as the new statewide court automation system in which all municipal divisions across Missouri must subscribe to; and

**WHEREAS**, pursuant to an administrative order issued by the Presiding Judge of the 11<sup>th</sup> Judicial Circuit. Show-Me Courts will serve as the mandatory case management platform for all municipal divisions in St. Charles County; and

**WHEREAS**, all municipal divisions of the 11<sup>th</sup> Circuit are required to integrate Show-Me Courts pursuant to an implementation schedule established by the Presiding Judge; and

**WHEREAS**, in order to fund the statewide conversion to the Show-Me-Courts automation system, the Missouri Office of State Courts Administrator has required that all divisions impose a surcharge of Seven Dollars and No Cents (\$7.00) on all cases in which court costs are assessed, and whereas said surcharge shall be transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Automation Fund.

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

**SECTION 1:** That the Board of Aldermen hereby authorizes an Agreement by and between the Missouri Office of State Court's Administrator and the City of Weldon Spring, Missouri, for the implementation of the Show-Me Courts court automation software. Said agreement shall be in substantial conformance with the agreement attached hereto as "**Exhibit A**" and incorporated herein by reference.

**SECTION 2:** That Section 125.320 of the Code of Ordinances of the City of Weldon Spring be and hereby amended by adding a new subsection 13 thereto, to read as follows:

Section 125.320 – Court Cost

...

**13. Court Automation Fund.** In addition to the other costs authorized in all cases in which court costs are taxed. Said fee be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide court Automation Fund, as provided in Section 488.012.5(5), RSMO and Section 488.027.2 RSMO.

**SECTION 3: Savings.** Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in manner connected with the subject matter hereof.

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

**SECTION 5:** This Ordinance shall be in full force and effect from and after January 31, 2021.

***READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.***

---

Donald D. Licklider, Mayor

Attest:

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William C. Hanks, City Clerk

To approve Bill #1158

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

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

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

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

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

\*\*\*\*\*

**AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT  
BETWEEN THE CITY OF ST. PETERS, MISSOURI, AND THE CITY OF  
WELDON SPRING, MISSOURI, FOR THE IMPROVEMENTS ASSOCIATED  
WITH THE SAMMELMAN ROAD IMPROVEMENT PROJECT**

\*\*\*\*\*

**WHEREAS**, Sammelman Road is public roadway that serves both Weldon Spring's and St. Peters' residents, and that portions are located within the corporate limits of each city; and

**WHEREAS**, Weldon Spring has prepared plans and specification for, and intends to construct certain improvements to, Sammelman Road referred to as associated with the Sammelman Road Improvement Project (hereinafter "Project"), which is located entirely within the city limits of Weldon Spring; and

**WHEREAS**, construction of the Project requires professional staff to provide construction engineering services to ensure that the Project is constructed pursuant to the approved plans and specifications, and to assist with administering the construction contract for the Project; and

**WHEREAS**, St. Peters employs a professional staff qualified to provide said construction engineering services, and supports the Project, as it will benefit the safety and travel for St. Peters' residents; and

**WHEREAS**, Missouri Revised Statutes Section 70.220 through 70.325 authorize political subdivisions to contract and cooperate with other municipalities or political subdivisions for the planning, development, construction, acquisition, or operation of any public improvement or facility, or for a common service; and

**WHEREAS**, Weldon Spring and the St. Peters are desirous of entering into an Intergovernmental Cooperation Agreement whereby St. Peters will provide the necessary construction engineering services for the Project.

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

**SECTION 1:** That Section 70.220 through 70.320 of the Revised Missouri Statutes authorizes intergovernmental agreements.

**SECTION 2:** That the Board of Aldermen hereby authorize the execution by the Mayor of the Intergovernmental Cooperation and Agreement (Sammelman Road

Improvement Project), which is attached hereto as Exhibit "A" and is incorporated by reference herein.

**SECTION 3:** That this ordinance shall be in full force and effect from and after its enactment and approval.

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

***READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.***

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

Attest:

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

To approve Bill

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

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

---

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clutter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kolb	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Martiszus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schwaab	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yeager	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Licklider	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

## EXHIBIT A

### INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF WELDON SPRING, MISSOURI, AND THE CITY OF ST. PETERS, MISSOURI, FOR IMPROVEMENTS ASSOCIATED WITH THE SAMMELMAN ROAD IMPROVEMENT PROJECT

This Intergovernmental Cooperation Agreement is made and entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the CITY OF WELDON SPRING, MISSOURI, a city of the fourth class (hereinafter "Weldon Spring"), and the CITY OF ST. PETERS, MISSOURI, a city of the fourth class (hereinafter "St. Peters").

#### WITNESSETH:

WHEREAS, Sammelman Road is public roadway that serves both Weldon Spring's and St. Peters' residents, and that portions are located within the corporate limits of each city; and

WHEREAS, Weldon Spring has prepared plans and specification for, and intends to construct certain improvements to, Sammelman Road referred to as the Sammelman Road Improvement Project (hereinafter "Project"), which is located entirely within the city limits jurisdiction of Weldon Spring; and

WHEREAS, construction of the Project requires professional staff to provide construction engineering services to ensure the Project is constructed pursuant to the approved plans and specifications, and to assist with administering the construction contract for the Project; and

WHEREAS, St. Peters employs a professional staff qualified to provide said construction engineering services, and supports the Project, as it will benefit the safety and travel for St. Peters' residents; and

WHEREAS, Missouri Revised Statutes Section 70.220 through 70.325 authorize political subdivisions to contract and cooperate with other municipalities or political subdivisions for the planning, development, construction, acquisition, or operation of any public improvement or facility, or for a common service; and

WHEREAS, Weldon Spring and the St. Peters are desirous of entering into an Intergovernmental Cooperation Agreement whereby St. Peters will provide the necessary construction engineering services for the Project.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

Section 1. Term of Agreement. This Agreement shall become effective upon its execution by all parties hereto, and continue to Project completion and final acceptance of improvements

Section 2. Project Design. Weldon Spring previously executed an engineering services agreement with a qualified, registered professional engineer in the State of Missouri, who prepared plans and specifications for the Project. Weldon Spring hereby acknowledges that Weldon Spring is solely responsible for the completeness and accuracy of the improvements shown and specified by the Project plans and specifications. Weldon Spring hereby acknowledges that Weldon Spring is solely responsible for all costs associated with said completed plans and specifications, and for any future costs associated with any additional engineering design services that may be needed for the Project.

Section 3. Property Acquisition. Weldon Spring hereby agrees to perform all tasks required to obtain the necessary right-of-way and easement rights for the Project at its sole expense. Weldon Spring further agrees to provide St. Peters copies of all recorded deed and easement agreements, as well as all executed, written negotiated agreements related to property acquisition for the Project.

Section 4. Costs of Litigation Associated with Property Acquisition. All court costs of litigation associated with the acquisition of the easements and right-of-way, including attorney fees, shall be paid by Weldon Spring. The parties agree that St. Peters shall not share in any court costs of litigation associated with acquisition of the easements and right-of-way. For purposes of this Agreement, the term "court costs" shall mean all: brokerage commissions; costs of title commitments, reports; surveys; soil and hazardous waste and other property related reports; appraisals; professional fees of any kind or nature, including engineering, architects and attorneys' fees; filing fees, costs of transferring any of the property from Weldon Spring to St. Peters or vice versa, recording fees, experts' fees, and all litigation costs.

Section 5. Bid Services and Construction Contract Award. Weldon Spring hereby agrees to perform all tasks required to prepare the Project for bid advertisement and competitive bidding per all applicable federal, state and local standards. Weldon Spring hereby agrees to perform all tasks required to evaluate the bids received, award the Project to the lowest, responsive and responsible bidder, and execute a construction agreement with said bidder. Weldon Spring further agrees to provide St. Peters copies of all plans and bid documents prepared for distribution to bidders, and all executed documents associated with award, including the executed construction agreement.

Section 6. Construction Cost. All costs associated with construction of the Project, excluding construction engineering services, shall be the sole responsibility of Weldon Spring.

Section 7. Construction Engineering Services. Utilizing the plans, specifications, property acquisition documents and construction agreement provided by Weldon Spring, St. Peters hereby agrees to perform all construction engineering tasks required to verify proper construction of the Project, and assist with administering the construction agreement, at its sole cost. Said construction engineering services will include, but not be limited to, review and documenting all contractor submittals, preparation and maintenance of all construction records, scheduling and overseeing material testing, perform daily contractor oversight, reviewing and recommending action regarding contractor questions, change order requests and pay requests, perform all inspections,



provide and place appropriate digital message or static signs to alert drivers of pending construction, road closure or Project related information, and assist with preparing all documents required for closing the contract. St. Peters will provide Weldon Spring access to all documents and records related to the Project upon request and upon completion of all work associated with the Project and submittal of final payment to the contractor.

Section 8. Indemnification. The parties agree to indemnify and hold each other harmless from and against any loss, cost, claims, demands, and/or expense arising out of any demand, claim, suite or judgment for injury to or death of persons including the officers, agents and employees of either party herein, resulting from each other's conduct with regard to the Project.

Section 9. Construction Standards and Permits. The Project has been designed and will be constructed in accordance with all applicable federal, state and local standards adopted by Weldon Spring, and the plans, specifications, property acquisition documents and construction agreement executed by Weldon Spring and provided to St. Peters.

Section 10. Maintenance of Completed Improvements. It shall be the responsibility of Weldon Spring to operate and maintain the completed improvements associated with the Project.

Section 11. Termination. In the event that either city violates any provision of federal, state or local law or regulations with regard to the any task associated with the Project, the other city may terminate this Agreement upon thirty (30) days' written notice.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

**WELDON SPRING, MISSOURI**

**CITY OF ST. PETERS, MISSOURI**

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

By: \_\_\_\_\_  
Len Pagano, Mayor

ATTEST:

ATTEST:

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

\_\_\_\_\_  
Patricia E. Smith, City Clerk

**CITY OF WELDON SPRING**  
**1/12/21 – BOA Meeting**  
**CITY CLERK'S LEGISLATIVE REPORT**

The 101st Missouri General Assembly begun their legislation session on January 6, 2021, but the Pre-filing of legislation began on December 1, 2020. Here are some of the legislative issues that the City of Weldon Spring may be interested in monitoring this session:

**Video Franchising**

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

**Taxation**

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

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

### **Elections**

- **SB 150 (Sponsor: Onder)** – The Bill changes municipal election day to November.
  - **Unknown Impact...**
- **SB 161 (Sponsor: Crawford)** – The Bill modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers.
  - **Support this Initiative**
- **SJR 5 (Sponsor: Eigel)** - This constitutional amendment, if approved by the voters, requires all proposals for new local taxes or fees or for an increase in an existing tax or fee to be submitted to the voters on a general election day (November of even years).
  - **Negative Impact** – Causes timing delays and reduces the flexibility to local governments in planning and proposing tax/fee ballot initiatives.
- **SJR 9 (Sponsor: Cierpiot)** - This constitutional amendment, if approved by the voters, provides that any proposal for a new tax or fee, an increase in an existing tax or fee, or a reauthorization of an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 22% of qualified voters cast a ballot in the election.
  - **Negative Impact** – This would greatly increase the difficulty in obtaining positive tax/fee initiative outcomes.

## Sunshine Law & Records

- **HB 27 (Sponsor: Walsh)** - Requires posting meeting notices and Minutes on the City's website and social media pages. Plus, all approved legislation must be posted on the City's website and social media pages within 24 hours after the meeting.
  - **Negative Impact** – Unfunded Mandate - Increases the demands on staff and entity resources to comply with Sunshine Laws as it relates to social media. Would likely require more sophisticated software to track and record social media posts and auto archive.
- **HB 174 (Sponsor: Ellebracht)** - Amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances.
  - **Negative/Unknown Impact** – Unfunded Mandate to monitor and record social media posts including those personal accounts of 'members of the government body'.
- **HB 362 (Sponsor: DeGroot)** – Allows the City to close records related to email addresses and telephone numbers submitted to a public governmental body by individuals or entities with the sole purpose of receiving electronic or other communications.
  - **Support this Initiative** – Allows the public to register and request to receive automatic notices/correspondence and not be subjected to a Records/Sunshine Request to obtain their personal contact information.
- **HB 177 (Sponsor: Ellebracht)** - The City would be allowed to close records on discussions and descriptions about security procedures, which includes evacuation and lock down procedures.
  - **Support this Initiative** – Provides a level of security to the public entity as it relates to security and safety operations/response and procedures.

## Miscellaneous

- **HB 271 (Sponsor: Wiemann)** – The Bill establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. The City may voluntarily participate in the database or may be required to participate if a petition process used by its residents is used to require participation as specified in the bill. A link to the database on the City's website is required.
  - **Neutral/Impact Unknown**
- **HB 491 (Sponsor: Grier)** - This bill prohibits municipalities from restricting the operation of a "no-impact home-based business" or otherwise requiring a person to apply for or obtain a permit, license, variance, or other prior approval to operate a no-impact home-

based business. The bill establishes a list of factors that qualify a home-based business as a no-impact home-based business.

- **Negative Impact** – This eliminates or reduces the City's ability to review and monitor land use and business activities occurring within its corporate limits.