

# CITY OF WELDON SPRING BOARD OF ALDERMEN REGULAR MEETING ON THURSDAY, MAY 27, 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 be in person at 5401 Independence Road Weldon Spring, Missouri, 63304. The public is encouraged to attend virtually 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/meeting/tZMtf-muqD4vHd2ZgOH-8Cccu2UP0xwes2TM/ics?icsToken=98tyKuGyrjMqHNKQtR6ORpwEAoqgc-7wpiVYgqcPphjKK20LQQD117B3AuJnB93D

> Meeting ID: 870 8066 5579 Password: WS.BOA

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

Meeting ID: 870 8066 5579 Password: 838813

Anyone that attends the meeting must understand the follow rules with be strictly enforced:

- Any person attending the Meeting at the City Hall or Parks building must wear a mask. If you do not have a mask; one will be provided.
- You will be required to provide contact information for tracing purposes in the event of exposure to the virus.
- Maintain six feet between you and the next person in the meeting, at any given time

PAGE 1 OF 2

This notice was posted at 5401 Independence Road on 5/24/51 at 2.30 by 200 by

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. ROLL CALL and DETERMINATION OF A QUORUM
- 4. CITIZENS COMMENTS
- 5. APPROVAL OF MINUTES
  - A. May 11, 2021 Regular Board Meeting Minutes
- 6. CITY TREASURER
  - **A.** Paid Bills (5-1-21-5-20-21)
- 7. UNFINISHED BUSINESS
  - A. Bill #1166 An Ordinance Repealing Sections, Known as Business License & Person Not to Be Charge for Business License, in its Entirely and Enacting in its Place A New Section in the City of Weldon Spring, Missouri, Municipal Code Beginning with Section 605.005 Through Section 605.025 and Matters Relating Thereto Alderman Baker
- 8. NEW BUSINESS
  - A. 2021 Summer Newsletter Approval City Administrator
  - B. A Resolution Adopting the Official Flag the City of Weldon Spring, Missouri Alderman Schwaab
- 9. REPORTS & COMMITTEES
  - A. Parks & Recreation Advisory Committee
  - B. City Administrator
  - C. City Attorney
- 10. RECEIPTS & COMMUNICATIONS
- 11. ADJOURNMENT



This notice was posted at 5401 Independence Road on 5/24/21 at 2.3400 by 200 C 2000 by

# CITY OF WELDON SPRING REGULAR MEETING OF THE BOARD OF ALDERMEN MAY 11, 2021

**CALL TO ORDER**: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, May 11, 2021 at approximately 7:30 PM. The meeting was held at the Weldon Spring City Hall, which is located at 5401 Independence Road. Mayor Donald Licklider called the meeting to order.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

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

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

Note: Alderman Clutter joined the meeting as a video conferencing participant via Zoom.

A quorum was declared.

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

MINUTES: April 22, 2021, Board Minutes - Alderman Baker moved to approve the minutes from the April 22, 2021, regular meeting as written, seconded by Alderman Schwaab. Motion carried with 5 ayes. Alderman Clutter abstained from the vote.

TREASURER'S REPORT: Alderman Martiszus made a motion to accept the Treasurer's packet of paid bills from April 15, 2021 to April 30, 2021, seconded by Alderman Baker. Motion carried with 6 ayes.

#### **OLD BUSINESS:**

Bill #1164 - An Ordinance Amending Chapter 210 of the Municipal Code of the City of Weldon Spring, Missouri, to Enact Regulations Regarding Depositing Snow or Ice in Street or Public Right-of-Way: After considerable debate, Alderman Martiszus made a motion to amend Bill #1164 by striking the words "right-of-way" from the Bill and make the Bill only apply to the commercial properties within the City at this time. Alderman Baker seconded the motion. On a roll call vote, the amendment passed as follow:

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

Alderman Martiszus made a motion to read Bill #1164 for its second and final reading by title only. Alderman Baker seconded the motion. On a roll call vote, the Bill #1164 was placed as Ordinance 21-05 as followed:

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

Bill #1165 - An Ordinance Adopting & 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; & Providing When the Ordinance Shall Become Effective: Alderman Kolb made a motion to read Bill #1165 for its second and final reading by title only. Alderman Baker seconded the motion. On a roll call vote, the Bill #1165 was placed as Ordinance 21-05 as followed:

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

#### **NEW BUSINESS:**

An Ordinance Repealing Sections, Known as Business License & Person Not to Be Charge for Business License, in its Entirely and Enacting in its Place A New Section in the City of Weldon Spring, Missouri, Municipal Code Beginning with Section 605.005 Through Section 605.025 and Matters Relating Thereto: Alderman Baker moved to introduce Bill #1166 for its first reading by title only. Alderman Martiszus seconded the motion and the motion carried.

Bill #1166 was tabled in accordance with City Code.

Lot C - Pocket Park Discussion: This topic was discussed later in the meeting under the PRAC Committee Report.

Economic Development Council 2021 Common Agreement & Services: Alderman Baker moved to authorize the City to pay \$5,000 to the St. Charles County Economic Development Council for their services in 2021, seconded by Alderman Schwaab. Motion carried with 6 ayes.

4910 & 4935 Sammelman Road Escrow Release: Alderman Baker made a motion to release \$5,000.00 from escrow for the home construction at 4910 Sammelman Road and 4935 Sammelman Road, seconded by Alderman Baker. Motion carried with 6 ayes.

St. Charles County Municipal League 2021 Membership Dues: Alderman Baker made a motion to pay \$750.00 for the 2021 St, Charles Municipal League's membership dues, seconded by Alderman Schwaab. Motion carried with 6 ayes.

City Hall Parking Lot Maintenance and Improvements Bid Results: Alderman Baker moved to accept the low bid from Ford Asphalt in the amount of \$38,594.00 for both the surfacing sealing and overlay options for the City Hall parking lot, seconded by Alderman Schwaab. Motion carried with 6 ayes.

#### REPORTS AND COMMITTEES:

**PRAC Committee**: There was a lengthy discussion about Lot C, which is land dedicated for a new park located next to the Trace Upscale Apartments on Siedentop Road.

Alderman Baker moved to accept the memo by the PRAC Committee, which lays out the basic parameters for the preliminary design of Lot C, seconded by Martiszus. **Motion carried** with 6 ayes.

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

City Attorney Report: No report given.

Legislative Report: The Legislative Report was included in the meeting packet.

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

Alderman Schwaab indicated that the Highland Subdivision withdrew their desire to pursue sidewalks in the neighborhood.

Alderman Baker wants the City Clerk and City Administrator to gather more research from neighboring municipalities regarding residential property maintenance code compliance for future discussion at a Work Session.

Mayor Licklider stated that he is currently talking with St Charles County about increasing contractual police services for the City.

#### ADJOURNMENT:

Respectfully submitted,

City Clerk

Alderman Kolb moved to adjourn the meeting at 8:21 PM and Alderman Martiszus seconded the motion. **Motion carried** with 6 ayes.

William C. Hanks		

PAID BILLS TO BE APPROVED MAY 1, 2021 -- MAY 20, 2021 EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS , MAYOR 27th DAY OF MAY, 2021

**CLAIMS REPORT** 

021
5/20/2
Thru
1/2021
5

	1707/07/c n III 1707/1/c					
VENDOR	REFERENCE	GL ACCT NO	AN	AMOUNT	CHECK #	CHECK DATE
AUTISM & BEHAVIORAL SPECTRUM	REFUND LAND USE PERMIT FEE	10/10/4815	\$	150,00	16406	5/3/2021
BRIAN THIEMANN	FIREWORKS SHOW 2021 DEPOSIT	20-20-5217	\$	2,500.00	9232	5/11/2021
BUILDINGSTARS OPERATIONS INC	MONTHLY HOUSEKEEPING	20-20-5244	\$	240.00	11290897	5/11/2021
CENTRAL BANK OF ST LOUIS	BANK SERVICE FEES	10/10/5216	4.	452.72	11290892	5/9/2021
CLAUDE C KNIGHT	MUNI COURT JUDGE	10/10/5303	\$	300.00	9230	5/11/2021
COLONIAL LIFE	EMPLOYEE PREMIUMS	10/2/2118	\$	273.72	9225	5/3/2021
COTTLEVILLE/WELDON SPRING	MAYOR GENERAL MEMBERSHIP MTG	10/10/5201	\$	20.00	9229	5/11/2021
CRITTER CONTROL OPERATIOS	WILDLIFE REMOVAL	20-20-5233	₩.	599.00	11290894	5/11/2021
CUIVRE RIVER ELECTRIC	MONTHLY ELECTRIC A/C 001	20-20-5253	\$	189.19	11290888	5/3/2021
CUIVRE RIVER ELECTRIC	MONTHLY ELECTRIC A/C 002	20-20-5253	÷	178.06	11290889	5/3/2021
CUIVRE RIVER ELECTRIC	MONTHLY ELECTRIC A/C 004	20-20-5253	\$	24.00	11290890	5/3/2021
DELTA DENTAL OF MISSOURI	EMPLOYEES DENTAL INS	10/2/2110	\$	48.89	9244	5/14/2021
DELTA DENTAL OF MISSOURI	EMPLOYERS DENTAL INS	10/10/5130	\$	249.23	9244	5/14/2021
DON LICKLIDER	MILEAGE REIMB	10/10/5202	\$	35.28	16410	5/4/2021
DUCKETT CREEK SANITARY DISTRIC	QTR SEWER FEE 911 NANCY LANE	20-20-5250	ş	65.25	11290896	5/11/2021
ETC INSTITUTE	COMMUNITY SURVEY	10/10/5327	\$	3,000.33	9226	5/3/2021
FICK SUPPLY SERVICE INC	PARK LANDSCAPING MULCH	20-20-5236	\$	231.60	9233	5/11/2021
FLO-SYSTEMS INC	5647 INDEPEDENCE RD SEWER REPAIR	31-31-5566	\$	836.27	9241	5/12/2021
FRISELLA NURSERY	TREES/WSP ROW FINAL BILLING	22-22-5264	\$	4,263.23	9234	5/11/2021
HAROLD BELZER	OUTSIDE ENGINEER	10/10/5312	\$	550.00	9227	5/3/2021
HEAVY DUTY EQUIPMENT	#15784 LIFTING SHAFT REPAIR	20-20-5237	\$	3,021.14	9235	5/11/2021
INCREDIBLE ENGRAVINGS	2 DESK PLATES	10/10/5243	\$	22.58	9223	5/3/2021
INCREDIBLE ENGRAVINGS	DESK PLATE/NAME PLATE	10/10/5243	\$	45.16	9236	5/11/2021
KANSAS CITY LIFE INS CO	- 1	10/2/2110	\$	1.32	11290887	5/5/2021
KANSAS CITY LIFE INS CO	GROUP LIFE INS CITY EXPENSE	10/10/5131	\$	174.46	11290887	5/5/2021
KEVIN CARROLL	BRUSH HOGGING(SIEDENTOP)	20-20-236	\$	300.00	9237	5/11/2021
LASHLY & BAER, P.C.	MUNI PROSECUTING ATTY	10/10/5304	ş	800.00	9231	5/11/2021
MICHAEL PADELLA	MTG CITY ATTY, MAYOR, CA	10/10/5201	\$	35.70	16407	5/3/2021
MICHAEL PADELLA	MILEAGE	10/10/5202	Ş	27.44	16409	5/3/2021
MICHAEL PADELLA	COPY PAPER, TOWELS, WATER	10/10/5243	\$	150.65	16407	5/3/2021
MICHAEL PADELLA	EXT BACKUP HARD DRIVE/SERVER	10/10/5560	\$	89.99	16407	5/3/2021
MISSOURI DEPT OF REVENUE	CRIME VICTIM	10/2/2511	s	235.29	16411	5/14/2021
MISSOURI LAWYERS MEDIA	PUBLIC NOTICES	10/10/5214	ş	209.00	9238	5/11/2021
MO DEPT OF PUBLIC SAFETY	P.O.S,T.	10/2/2521	ş	33.00	16412	5/14/2021
PURITAN SPRING WATER	BOTTLE WATER	20-20-5255	\$	26.44	11290895	5/11/2021
ROBERT WOHLER	LEGAL FEES	10/10/5301	\$	710.00	9228	5/3/2021

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SHERIFF'S RETIREMENT SYSTEM	COURT FEES	10/2/2531	\$	99.00	16413	5/14/2021
ST CHARLES ENGINEERING	VANGUARD INSPECTIONS	10/10/5311	s	682.50	9224	5/3/2021
SUE STEIGER	MILEAGE	10/10/5202	₩	10.70	16408	5/3/2021
SUE STEIGER	MAIL PKG TO IRS	10/10/5213	\$	1.40	16408	5/3/2021
SWANK MOTION PICTURES, INC	MOVIE NIGHT EVENT	20-20-5216	ş	395.00	11290898	5/12/2021
TRAFFIC CONTROL COMPANY	MEN WORKING/CAUTION SIGNS	20-20-5231	S	292.84	9243	5/14/2021
UNITED HEALTHCARE	EMPLOYEE HEALTH INS	10/2/2110	\$	619.94	9242	5/20/2021
UNITED HEALTHCARE	EMPLOYER HEALTH INS	10/10/5132	÷	2,722.01	9242	5/20/2021
VERIZON WIRELESS	MONTHLY CELL	10/2/2113	Ş	49.31	11290891	5/4/2021
VERIZON WIRELESS	MONTHLY CELL EMPLOYER	20-20-5257	ş	147.93	11290891	5/4/2021
WEBER FIRE AND SAFETY	ANNUAL INSPECTION	20-20-5241	ş	79.50	9239	5/11/2021
WEX BANK	FLEET GAS CARD	20-20-5237	٠Ş-	170.81	9240	5/11/2021
WILLIAM C HANKS	MILEAGE REIMB	10/10/5202	45-	60.59	16414	5/14/2021
Accounts Payable Total			n	25,420.47		



# CITY OF WELDON SPRING

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

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

# **MEMORANDUM**

To:

Board of Aldermen

Date: 5/7/21

From:

William C. Hanks (City Clerk)

Subject:

Business License Ordinance Update

Please find the proposed Business License Bill for consideration. In summary, there are only two major changes in this Bill:

- 1. While there will be no changes in fees for new licenses and renewals, an increase for late penalty fee for delinquent renewals will be changed from five dollars (\$5.00) to twenty-five dollars (\$25.00). This increase in the late fee will cover the administrative cost incurred by staff to ensure compliance with our municipal codes.
- 2. The proposed bill language will add a revocation procedure for business licenses; however, this process will be used as the last resort for the most severe violations. Other municipalities (New Melle, Dardenne Prairie, and Cottleville) have this type of enforcement already embedded in their municipal code. To ensure that this type of enforcement is only used on very rare occasions for the most egregious violations, the language in this Bill has a series of steps before the City could act. For example, there must be 3 written formal complaints in a 12-month period to begin a staff investigation to determine the severity of the violations before beginning the process.

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

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

**SECTION 1**: That Section 605.005 of City Code shall be as follows:

#### SECTION 605.005 – Business License

### A. License Required

- No person shall engage in, prosecute or carry on any business, trade, profession, vocation or occupation, either in whole or in part, by maintaining an office or business location within the City of Weldon Spring, Missouri, or by soliciting orders through such office or business location, or by any other manner whatsoever, unless he/she shall have first obtained a business license from the City of Weldon Spring, Missouri, in the form on file in the City offices.
- 2. Each such business license shall be in effect for one (1) calendar year commencing on October 1 of each year.
- 3. It shall be unlawful to engage in, prosecute or carry on any business, trade, profession, vocation or occupation, either in whole or in part, selling products or providing services for compensation by maintaining an office or business location within the City of Weldon Spring, Missouri, or by soliciting orders through such office, or by any other manner whatsoever, for compensation as described herein without a business license.
- 4. Any home-based businesses within the City of Weldon Spring, Missouri, must conform with the zoning restrictions set out Section 405.215(B)(C).

#### B. Persons Not to be Charged for Business License

- 1. No person engage in the profession or calling of minister of the gospel, duly accredited Christian Science practitioner, teacher, professor in a college, priest, lawyer, certified public accountant, dentist, chiropractor, optometrist, chiropodist, or physician or surgeon in this City shall be taxed or made liable to pay any municipal or other corporation tax or license fee of any description whatever for the privilege of following or carrying on such profession or calling, any law, ordinance or Charter to the contrary notwithstanding.
- 2. No person engage in the profession of insurance agent or broker, veterinarian, architect, professional engineer, land surveyor, auctioneer, or real estate broker or salesman in this City shall be taxed or made liable to pay any municipal or other corporation tax or license fee for the privilege of following or carrying on his/her profession unless that person maintains a business office within the City of Weldon Spring

**SECTION 2:** That Section 605.010 of City Code, which was approved with the passage of Ordinances #02-27 & #11-11 shall be replaced as follows:

# **SECTION 605.010 – Applications**

# A. Applications:

- 1. Applications for all licenses and permits required by ordinance shall be made in writing on forms provided by the City Clerk and submitted to the City Clerk. Each application shall state the name of the applicant, the permit or license desired, the location to be used, if any, the time covered and the fee to be paid; and each application shall contain such additional information as may be needed for the proper guidance of the City officials in the issuing of the permit or license applied for. The completed application shall be submitted to the City Clerk's office along with the appropriate fees. It shall be unlawful for any person to supply false or fraudulent information on the application filed with the City. An application shall be completed for each type of business whether at the same or different locations, provided that the provisions of the peddler, solicitors and canvassers business license shall prevail for that type of license.
- 2. Each applicant for a business license under this Chapter shall submit a statement from the Missouri Department of Revenue

pursuant to Chapter 144.083.4, RSMo., stating no tax is due, which statement is a prerequisite to the issuance or renewal of a City of Weldon Spring business license. The statement required by this Section shall be dated within ninety (90) days of submission of the business license application or renewal application. (RSMo. §144.083.4)

 All holders of licenses or permits shall be responsible for reporting changes in initial application data immediately as the same occur. The form of licenses shall be prescribed and furnished by the City Clerk or his or her designee.

#### B. Issuance:

1. All licenses shall be granted and signed by the City Clerk upon proof of compliance with the provisions of this Chapter and upon proof of a certificate of insurance for workers' compensation coverage if said applicant for license is required to cover his or her liability under Chapter 287.061, RSMo.

#### C. Denial:

- 1. Failure to have or to provide proof of Workers' Compensation coverage as required under Chapter 287.061, RSMo., as amended;
- 2. Providing fraudulent information regarding Workers' Compensation coverage on an application for business license;
- The business or activity sought to be licensed would be conducted in violation of any law of the United States or of the State or ordinance of the City; or
- 4. Any other basis for denial or revocation as set out in this Title VI.

SECTION 3: That Section 605.015 of City Code shall be as follows:

# SECTION 605.015 - Purpose and Scope of Fees

A. Missouri Cities of the Fourth Class, Weldon Spring being such, have the authority under Chapter 94.270, RSMo., as amended, to license, tax and regulate businesses and occupations; and the purpose of this Section is intended to regulate rather than to impose a separate tax, and the license fees are imposed to cover the costs of administration.

**B.** The annual business license period begins on October 1<sup>st</sup> of each year and expires on September 30<sup>th</sup> of each year. Any license fee during such one-year period will not be prorated.

# C. Types of Fees.

- 1. New business license fees shall be at a cost of fifty dollars (\$50.00), which is a non-refundable administrative fee intended to cover review and processing.
- 2. Annual renewals of business licenses shall be at a cost of thirty-five (\$35.00). The renewal fee is due no later than October 1<sup>st</sup> of each year. All annual renewal application will additionally be assessed a twenty-five dollar (\$25.00) late fee if not received and completed in full by October 1<sup>st</sup> of each year.
- 3. A replacement fee of fifteen dollars (\$15.00) will be assessed for lost, stolen, or destroyed business licenses.
- **D.** Business licenses are not transferable to another business owner. A new application must be completed, approved, and purchased if a business moves to a new address or comes under new management.
- E. A person, firm, or proprietorship, or other entity engaged in two (2) or more businesses at that same location shall be required to obtain a separate license for conducting each of such businesses.

**SECTION 4:** That Section 605.020 of City Code, which was approved with the passage of Missouri Revised Statutes 2004 shall be replaced as follows:

#### SECTION 605.020 - Revocation

#### A. Automatic Revocation.

1. Any license issued by the City of Weldon Spring to a business under the provisions of this Chapter shall automatically be revoked, as required by Section 144.083, RSMo., by the revocation of the Missouri Sales Tax License issued to the person/entity holding such license. Upon receipt of a notice of the revocation of such Missouri Sales Tax license of a person/entity holding a license under this Chapter, the City Clerk shall immediately cause a written notice of the revocation of that person/entity's City license to be delivered to the license holder. Such notice shall state that the business of such person/entity shall be suspended forthwith until such time

as the Missouri Sales Tax license has been reinstated. This notice shall be enforceable as provided in Section 605.025 of this Chapter.

- **B.** Grounds in General: Any license issued by the City under the provisions of this Chapter may be revoked for any of the following reasons, in addition to any other reason specified in this Chapter:
  - Any failure to comply with, or any violation of any provisions of this Chapter, or the laws of the State of Missouri, by any licensee.
  - 2. Violation of the terms and conditions upon which the license was issued.
  - 3. Violation of the terms and conditions of any permit granted by the City related to the business for which the license was issued.
  - 4. Violation of any ordinance of the City regulating business activities, operations or other related matters.
  - 5. Failure of the licensee to pay any tax, user fee or other obligation due to the City.
  - 6. Illegal or improper issuance of the license.
  - 7. Illegal or illicit activities at the business
  - 8. Any misrepresentation or false statement in the application for such license.
  - 9. Causing, maintaining or assisting in the cause or maintenance of a nuisance, whether public or private. For the purpose of this Chapter, a nuisance is defined as anything done to the annoyance or hurt of the lands, tenements or hereditaments of another. By hurt or annoyance, there is meant not a physical injury necessarily, but an injury to the health, comfort or welfare of the owner or possessor of the property as respects his/her possession or enjoyment of his/her property.
- C. **Procedures:** In any case in which the City receives 3 formal written complaints in a twelve-month calendar year, the City Clerk/Code Enforcement Officer/City Planner will open an investigation to determine if the violations are egregious enough to warrant more severe consequences from the City. If the violations are egregious

enough, a case exists for the revocation of a license issued under the provisions of Subsection (B) of this Section, the following procedure shall govern:

- 1. The Board of Aldermen shall set a hearing to consider the question of revocation.
- 2. At least ten (10) days prior to such hearing, written notice shall be mailed to the licensee at his/her last known address as shown in the records of the City Clerk advising the licensee of the time and place of the hearing and of the reason for considering revocation of his/her license.
- During the pendency of this hearing before the Board of Aldermen the licensee shall be permitted to continue the operation of his/her business.
- 4. At the hearing set by the Board of Aldermen, the Board shall hear all relevant evidence justifying the revocation of the license and all relevant evidence justifying the retention of the license.
- 5. The licensee may be present in person or by his/her attorney and may present evidence and call and cross examine witnesses.
- 6. A super majority vote is necessary to revoke a license.
- D. Appeals: Any person aggrieved by the decision of the Board of Aldermen shall have the right to appeal to the Circuit Court pursuant to Chapter 536, RSMo.
  - Costs shall not be taxed against the Board of Aldermen unless it shall appear to the Court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.
  - Reasonable attorney fees of the City may be reimbursed to the City by the person or persons, jointly or severally, taking an appeal from the decision of the Board of Aldermen where the decision of the Board of Aldermen is affirmed by a final order of the Circuit Court.

# **SECTION 5:** That Section 605.025 of City Code shall be as follows:

# SECTION 605.025 - Penalties - Delinquency

- A. Any person, including any employer of any person, who fails to comply with, or commits any violation of, any provision of this Chapter shall be guilty of an ordinance violation, and shall be punishable, upon conviction thereof, pursuant to Section 100.220, the General Penalty, in the Weldon Spring Municipal Code. This fine shall be in addition to any other penalties prescribed in this Code or ordinances of the City or the laws of the State; and each day such failure to comply or such violation continues shall be deemed a separate offense.
- B. In addition to the enforcement provisions contained elsewhere in the City Code, any person carrying on or pursuing any business, trade, profession, vocation or occupation which requires either a general business license or a special business license without first having obtained the appropriate license therefor shall be liable for the following penalty:
  - 1. Initial licensing. If any person shall commence business in the City without first having been licensed, and if the license fee (where applicable) is not paid within thirty (30) days after opening, a penalty of twenty-five dollars (\$25.00) will be added to the initial license fee.
  - 2. Renewal licensing. If any person shall continue to operate a business, profession or occupation within the City without first renewing the appropriate license as described in the City Code, a penalty of twenty-five dollars (\$25.00) will be added to the renewal fee. However, businesses will be treated as new businesses if they are delinquent more than 90 days (after January 1st of each year).
  - 3. Notwithstanding any other provision of this Section to the contrary, if any person shall be delinquent in the payment of any license tax, such person shall pay to the City such penalties and interest payments as set forth in §71.625.2, RSMo., as amended.
  - 4. Nothing in this Section shall in any way bar or prevent the City from pursuing available legal remedies listed in Section 605.020, including, but not limited to, injunctive relief and/or civil damages.

SECTION 6	: That this ordinance shall be in full force and effect upon its enactment and
approval	

READ TWO TIMES AND PASSED BY TH WELDON SPRING, MISSOURI, THIS	IE BOARD OF ALDERMEN OF THE CITY OF2021.
	Donald D. Licklider, Mayor
Attest:	
William C. Hanks, City Clerk	

Motioned: _ Seconded: _			
	Aye	Nay	Abstention
Baker			
Clutter			
Kolb Martiszus	=		
Schwaab			
Yeager Licklider			
Absent:			

To approve Bill #

Mayor's Message

Residents,

I am humbled once again to receive the opportunity to serve as your Mayor for another two years. It truly means so much to have your support, and I appreciate all of the people that voted in the April Election. It was great to see so many people at the polls.

It would be an understatement to say we are excited about this summer in Weldon Spring. This year we are bringing back our Independence Day Celebration on 07/02 and Kids Fishing Day on 06/12. Last year we canceled all events out of an abundance of caution. While public health and safety are still a top priority, we will host events with some changes to their structure. Please follow our social media leading up to these events for more details.

I thank everyone who completed their Community-Wide Survey back in April and May. Our third-party contractor has diligently processed the data and check out a brief summary story later in this issue plus the full survey details will be posted on the City's website. The survey results will be valuable input to help city officials plan for the future and allocate resources. Now that data collection is over, please send any additional comments or concerns to City Hall. Our website has a report-a-concern section with many different categories.

This summer the city will participate in additional planning studies. The biggest and most impactful to you will be the City-Wide Parks & Greenway Master Planning. This project will be a great next step in the further development of parks and trails planning and prioritization from the feedback received in the community survey. Additionally, the city is having a Facility Condition & Needs Assessment done on our two municipal buildings: City Hall and the Parks Building. This study will address multiple aspects of our facilities as it relates to staff, committees, and the public. Please look for more information about these projects further down the road.

Thank you,

Donald Licklider Mayor

Important Dates
 Kids Fishing Day 06/12/21
 Independence Celebration 07/02/21

Email Notifications

Standard block

- Elected Officials
   Standard Block
- Below is a list or related ordinances that the Board of Aldermen passed since the last Newsletter.
   Copies of our most recent ordinances can be found at <a href="https://www.ecode360.com/laws/WE3474">https://www.ecode360.com/laws/WE3474</a>. Also, please feel free to contact Bill Hanks, City Clerk, at (636)-441-2110 Ext. 103 or <a href="bhanks@weldonspring.org">bhanks@weldonspring.org</a> for any additional information on any of the ordinances.
  - 21-03 An Ordinance to Enter into An Agreement Amending the Utility Escrow Agreement for Lot C: This Ordinance is an agreement between the City and Covington Developers to extend the certain utility lines to Lot C, which is located on Siedentop Road. Passed on March 25, 2021.
  - 21-03 An Ordinance to Enter into An Agreement Amending Guaranteeing Maintenance of Certain Improvements: This Ordinance is an agreement between the City and Covington Developers for a period of 18 months, which includes a right turn lane and signage on Siedentop Road. Passed on April 22, 2021
  - 21-04 An Ordinance Amending City Code Regarding Depositing Snow and Ice in Certain Public Improvements: This Ordinance only applies to commercial properties and prohibits them from depositing of snow or ice on sidewalks, walking paths, or streets. Passed on May 11, 2021.
  - 21-05 An Ordinance Enacting a New Code of Ordinances: This Ordinance is passed annually to allow our municipal codes to come back in alignment with State Statutes that were changed in 2020. Passed on May 11, 2021.
- April Election/Swearing-in

In the April 2021 Municipal Election, the residents of Weldon Spring voted for the offices of Mayor, and one Alderperson from each of the three Wards based upon where they live. Donald Licklider was reelected to his twenty first term as Mayor of Weldon Spring. Tom Yeager, who had been appointed to fill a vacant seat in 2020, ran unopposed in Ward I. The incumbent Janet Kolb was re-elected over two other candidates in Ward II. The incumbent Gerry Baker ran unopposed was re-elected in Ward III. The elected officials were sworn in after the official results were submitted by the County Election Authority and certified.

# New Official City Flag (if approved/adopted)

- The City of Weldon Spring has a new Official City Flag. While volunteering, resident Vic Conlin, a member of the Parks & Recreation Advisory Committee (PRAC), noticed Weldon Spring did not have a flag on display at the St. Charles County Election Authority office like many other cities do. He brought this to the PRAC's attention, and the group suggested asking the community for their input on a new design. In the winter newsletter the city asked residents to submit flag designs. After receiving a few submissions City staff used those designs to create something that represents this great community. In May the PRAC made a recommendation to the Board of Aldermen to adopt this new flag. The Board of Aldermen officially adopted the new flag by resolution in late May.
  - ~ Insert Image of the Flag
  - What this flag means:
    - o The log cabin and tree represent our storied past and our bright future all while reminding everyone that Weldon Spring is home.
    - o The wavy blue lines represent the waters that define and shape the community, the Missouri River and John Weldon's Spring as well as other smaller tributaries.
    - o The wavy green line represents the natural beauty of trees, pastures and rolling hills.
    - o The white background represents peace and neighborly kindness.

# April Park Clean ups

o On April 24<sup>th</sup>, the City hosted its first event in over a year. To celebrate Earth Day the invited the community for an afternoon of beautification and fun. Scout Troop 353 cut down a large amount of invasive Brush Honeysuckle in the park, while other volunteers planted flowers and spread mulch. That evening the City showed the Lorax in the red barn. Thank you to all who came to help. Look for more events like this in the future, community service hours can be offered for National Honors Society, college applications, or court mandated service.

#### Pavilion & Ball Field Reservations July through October

o Interested in hosting an event and need a Pavilion? Or do you need a ball field to practice on? Weldon Spring City Park has both! Ther are many dates available, and reservations can be made in person at City Hall or online at weldonspring.org. Online under "Pavilion" or "Field" Reservation the calendar feature shows available dates.

# Independence Celebration 07.02.2021 Ad

The City of Weldon Spring is pleased to bring back The Independence Day Celebration in 2021. This year it will take place on the evening of July 2<sup>nd</sup> starting at 6 PM. Due to public health concerns certain changes had to be made and some attractions will not take place this year. The event will not have Bounce Houses or other inflatables, magician, balloon twister, and face painter. The City is currently coordinating food trucks to be on site to serve delicious food and treats, but guests can pack a picnic if they choose. A grand fireworks show will begin at dusk and groups will be able to spread out in the lawn/field to view the display.

\*Current CDC guidelines recommend masks be worn by those who have not been fully vaccinated, 2 weeks after their final shot. Those who have been fully vaccinated are not required to wear a mask. However, the City Park has limited restroom facilities. The City kindly asks that all using these facilities, wear a mask to protect others and to try to socially distance as much as

# Kid's Fishing Day(announcement/recap)

possible.

o Kids Fishing Day will take place on 6/12/21 from 8 a.m. to 12:00 p.m. at the lake in City Park. June 12-13<sup>th</sup> no permit is required by the Missouri Department of Conservation. The City will set up fishing bays for families to fish in. Come for great morning of fun and fishing. City lake is catch and release only. The City will provide some light refreshments compliments of our sponsor, Farm & Home Supply off of Mid Rivers Mall Dr.

### • Richard Kersting Retirement announcement – TBD

o If you've spent any amount of time in the Weldon Spring City Park during the weekday mornings over the past 19 years, then you have probably seen or met Richard Kersting. He has been with the City since May of 2002 as a part-time parks and facilities maintenance employee. He came to the City after retiring from MEMC in O'Fallon and he was looking for a part-time job to keep him busy and get him out of the house.

Most often you may catch Richard zooming back and forth on one of the zero-turn mowers, but he has had a wide variety of duties and tasks over the years serving the community's primary city park. He has been a grill master, serving up BBQ hotdogs at Kids' Fishing Day or grilled chicken breasts at Senior Day. He has helped as one of Santa's "little" helpers converting the Park Building into Santa's Workshop for his annual visit to Weldon Spring. He has always been instrumental to the City's Independence Day Celebration by setting up, keeping things working smoothly during the event and even assisting with the lighting of the Grand Finale Fireworks Display!

In Richard's spare time he enjoys hunting, fishing, gardening and dabbles in making summer sausage, pickling okra or even distilling his own homemade moonshine. Richard's tentative final day is June 30<sup>th</sup>. So, if you are out and about in the park and you see Richard be sure to say hello and thank him for his many years of service to our community of Weldon Spring!

# Community-Wide Survey: "And the Survey Says..."

A big THANK YOU, to all the residents that took the time to complete and return the community-wide survey that was conducted by ETC Institute between April and May of this year. The City is in receipt of the initial findings report and analysis. The City will take some time to review and digest the survey report, which is over 100 pages in length, but will post the full findings report on our website in the coming days.

The City set out to engage the community and obtain valuable input, feedback and gauge the community's opinion for future priorities. The City's goal was to receive at least 360 survey responses from residents, the City exceeded its goal and received 380. This ensures that the survey results have at least a 95% level of confidence with a precision of at least +/-5%.

The findings report is too expansive and detailed to summarize in one short newsletter article adequately or effectively, however, highlights of some of the major findings are provided below. Look for additional follow up stories/content on the survey results in future newsletters, on the City website and social media posts. Weldon Spring rated at or above the national average in 44 of the 46 areas that were assessed.

# Quality of Life and Perceptions of the City:

Area/Service:	Weldon Spring Rating:	U.S. Average Rating:
As a place to live	99%	73%
As a place to raise a family	97%	71%
As a place to retire	86%	57%
Availability of indoor community center/event space	41%	38%
Enforcement of city codes and ordinances	68%	52%
Feeling of safety in the City parks	86%	65%
Feeling of safety in your neighborhood during the day	98%	89%
Maintenance of City streets, sidewalks, buildings & facilities	75%	52%
Number of walking and biking trails	75%	63%
Overall appearance of the City	88%	66%
Overall value received for City taxes & fees	72%	44%
Police protection services	81%	64%
The City's parks and recreation system	88%	59%
The visibility of police in commercial areas	59%	62%
The visibility of police in neighborhoods	59%	62%

The City is also having ETC conduct a Business Survey. The results of that survey were not yet available as of the time of the preparation of this newsletter. Look for those results in the next issue and online.

The City of Weldon Spring's mid-fiscal year financial figures are summarized in the following "Unaudited Statement of Receipts and Disbursements and Indebtedness" as of March 31, 2021. At this 6-month point the City had a \$36,363 positive balance among all funds, this however, is prior to many planned capital and special project expenditures have been made. The City budgeted anticipating several large deficits in the areas of roadway maintenance and for a park trail capital project. The City plans to pull from current reserve funds to cover these expenses.

As a brief overview and recap, Weldon Spring has three major funds for its primary operations, capital and special projects. The General Fund's primary revenue source is through gas, electric and telecommunication franchise fees; these funds can be used for any governmental activity and has the most flexibility. The Municipal Building & Park Fund's primary revenue source is through a ½% sales tax and it has been spent on parks, trails, and facility operations and capital projects. Finally, the Revenue Sharing & Road Fund has two major funding sources, the state's fuel tax and various DMV fees distributed out to all cities/counties based upon population and a portion of the County's Road & Bridge property tax. This fund is used for public safety related to roadway maintenance and capital improvements and for contracting policing services with St. Charles County Police Dept.

Weldon Spring has no city property tax and has one of the lowest sales tax rates of any city in the St. Louis Metro.

# City of Weldon Spring, Missouri Unaudited Statement of Receipts and Disbursements and Indebtedness

For the Six Months Ended March 31, 2021 Notations: Municipal Revenue . Escrow & Building General & Maintenance Sharing & . Fund Park Road **Funds** Fund **Funds** Total Revenues: Franchise Fees \$235,526 \$235,526 Licenses and Permits \$16,687 \$16,687 Court Fines and Fees \$17,333 \$290 \$17,623 Local Sales Tax \$199,028 \$199,028 Metro Park District Tax \$11,349 \$11,349 Motor Vehicle Sales and Fees \$109,511 \$109,511 **Federal Road Grants** \$0 \$0 St. Charles County Road Grants \$56,632 \$56,632 Sewer NID Assessments/Fees \$5,818 \$5,818 (Deliquent payments) Other (Includes Interest) \$13,370 \$2,401 \$15,771 **CARES Reimbursements** \$66,693 \$66,693 **Total Revenues** \$349,609 \$5,818 \$212,778 \$166,433 \$734,638 **Expenditures:** Personnel Services \$176,514 \$67,844 \$244,358 **Professional Services** \$21,780 \$6,606 \$28,386 **Operating Expenses** \$49,186 \$67,790 \$16,714 \$1,890

\$210,546

\$210,546

Law Enforcement

Capital Improvements		\$74,134					\$74,134
Sewer NID Close Out					\$175	5	\$175
Capital Road Expenditures			\$25,188	4			\$25,188
Roadway Maintenance Expenses			\$28,075	6			\$28,075
CARES Expenditures	\$348	\$19,275					\$19,623
Total Expenditures	\$247,828	\$177,967	\$272,305		\$175		\$698,275
Total Revenues Less							
Expenditures	\$101,781	\$34,811	(\$105,872)		\$5,643		\$36,363

#### FOOTNOTES:

- (1) County Road Grants exceed expenditures due to prior year timing issues
- (2) COVID-19 expenses reimbursed through 3/31/2021
- (3) Law Enforcement (Policing Services) is paid annually in January
- (4) Road Expenditures to be reimbursed through Federal road grants
- (5) Transfer from Sewer Fund Balance to cover NID close out expenses
- (6) Roadway maintenance with County projected to exceed balance held in SCC account

# Public Safety "If You See Something, Say Something"

Over winter and into the early part of spring there was a rash of vehicle break-ins and thefts of personal belongings and in some cases even the vehicle was stolen. Fortunately, Weldon Spring did not experience this outbreak too badly, but we did hear about residents seeing suspicious people walking down streets and checking doors in some of our larger neighborhoods.

The St. Charles County Police Department (SCCPD) published the following in a recent County newsletter:

"An uptick in break-ins and thefts at the beginning of 2021 led St. Charles County Police Chief Kurt Frisz and County Prosecuting Attorney Time Lohmar to Form a task force with other county city police departments to combat the growing problem. Police had made 111 arrests as of mid-April, seized weapons and recovered stolen cars. Lohmar says anyone who is caught stealing or breaking into a vehicle in St. Charles County will face mandatory jail time and higher bonds.

Perpetrators target unlocked vehicles with keys/fobs and other valuables left unsecured and in plain view. In 2020, the SCCPD investigated 148 reported vehicle thefts and break-ins, compared to 88 reported cases in  $2019-a\ 68\%$  increase."

Residents would take to social media and post warnings to their neighbors. This is very prudent and commendable, but your first call should be to St. Charles County Police to report the suspicious activity. Here are some tips to remember and get in the habit of doing:

- If you see something suspicious call SCC PD at 636-949-3000 or 911 for emergencies
- Don't leave valuables in your vehicle or open garage. Especially firearms, less they fall into criminals' hands.
- Lock your vehicle, garage and home.
- Install security/motion cameras around your home and ensure they are working properly.

# Weldon Spring is a Golfcart Community

Weldon Spring has officially been a "Golfcart Community" since 2013 when the City first adopted codes and standards allowing golfcarts on public city streets (otherwise such vehicles are not allowed per state statutes). The City revisited the topic and updated its standards and requirements in August of 2019. Here is a refresher of some of the major requirements and standards for the operation of a golfcart or "low-speed vehicle, LSV" on public streets.

- Anyone operating a golfcart shall have a valid operator's license.
- Anyone operating a golfcart shall adhere to all traffic signs and/or signals and when crossing subdivision streets, the golfcart operator shall yield to all cross-traffic, on-coming vehicles and/or pedestrians.
- The golfcart shall be properly insured or have other coverage; and such proof of insurance shall specifically list the vehicle as referenced by the serial number and year of model.
- The golfcart shall be operated at a speed not exceeding twenty (20) miles per hour.

To view the full golfcart ordinance details and requirements please visit the City's online code: <a href="https://ecode360.com/32511628">https://ecode360.com/32511628</a> and remember please be safe and responsible while operating any motorized vehicle.

- City-Wide Parks & Greenway Master Planning
- Construction Projects in the City
  - o Sammelman Rd 90° Curve Improvement
    - The Board of Aldermen approved the funding and award of the construction work to Build Pro STL at a value of \$132,833.98. The contractor plans to begin work mid-June and will be completed by September 1<sup>st</sup> at the latest. This project will ease the turn's sharpness, improve visibility, and make the area safer for vehicles and pedestrians.
  - o Trails in City Park

- o Slab replacement, asphalt patching and micro-surfacing roadway maintenance
  - Numerous subdivisions throughout the City

Front Cover

RESOLUTION NO.
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# A RESOLUTION ADOPTING THE OFFICIAL FLAG FOR CITY OF WELDON SPRING, MISSOURI,

WHEREAS, many of the municipalities of the United States have adopted official city flags for display at city facilities and at civic functions; and

WHEREAS, the City of Weldon Spring, Missouri, desires to adopt an official city flag to represent the community; and

WHEREAS, the City of Weldon Spring, Missouri, solicit designs from residents through community engagement; and

WHEREAS, said design will represent the history, beauty, and peace of the City of Weldon Spring, Missouri; and

WHEREAS, the Parks & Recreation Advisory Committee at their regular monthly meeting on May 10, 2021 made a recommendation to the Board of Aldermen to adopt the proposed city flag design as the City's official flag.

**NOW THEREFORE BE IT RESOLVED** that the flag design recommended by the Parks & Recreation Advisory Committee, attached hereto, be and it is hereby adopted as the official flag of the City of Weldon Spring, Missouri.

ADOPTED AND PASSED BY THE BOX		
SPRING, MISSOURI, this	day of	, 2021.
		Donald D. Licklider, Mayor
Attest:		
William C. Hanles City Clouls		
William C. Hanks, City Clerk		

A DODGED AND BASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON



# CITY OF WELDON SPRING 5/27/21- End of the Session Report CITY CLERK'S LEGISLATIVE REPORT

The 101st Missouri General Assembly legislation session ended on May 14, 2021, as mandated by the Constitution. However, a special session is likely needed because the Senate failed to pass an extension to the FRA Bill. FRA stands for Federal Reimbursement Allowance. The FRA is a self-imposed tax on hospitals, nursing homes, ambulance services and pharmacies. The tax is used to help pay for Medicaid services for those providers through the state's MO HealthNet program. The tax on these providers is paid and matched by the federal government at a higher rate and then used to reimburse the participating providers thus saving the state from paying nearly \$3 billion each year toward those specific services in the Medicaid program. The FRA has been in place for approximately 30 years and has always been renewed. Without an extension of FRA, health care facilities will not receive the necessary funding when the program expires in September.

Below, please find a list of truly agreed and finally passed bills that may be of interest.

# Wayfair Legislation

• SB 153 (Sponsor: Koenig) – The Bill allows the state, cities, and counties to capture use tax revenue from out-of-state retailers that do not have a physical presence in the state of Missouri (Wayfair Legislation). The Bill includes a cable franchise fees reduction from 5% to 2.5% in the next 6 years, the definition for gross revenues will be revised in 2023, a "fix" in the ballot language, a vote of the people is still necessary to enact the local tax, creation of a task force, and new regulations for CID's.

#### Election

• HB 685 (Sponsor: Chipman) – The Bill lowers the minimum age require to 21 years old for the Office of Mayor in third- and fourth-class cities. Also, the bill requires a person appointed to elective public office not be delinquent in the payment of state income tax, personal property tax, municipal tax, or real property tax. If signed into law, this could affect changes in our municipal codes, which would be address in the 2021 statutory updates process with General Codes.

#### Sunshine Law & Records

• HB 362 (Sponsor: DeGroot) – This Bill allows cities 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. Furthermore, the Bill allows cities to close certain records pertaining to security and lockdown procedures, as well as closure of records related to utility usage of customers. Also, public records shall be considered withdrawn if the requestor fails to remit all fees within 30 days of a request for payment of the fees by the public governmental body, prior to making the copies.

#### Miscellaneous

- SB 126 (Sponsor: Brown) This legislation allows liquor-to-go sales for restaurants and changes some provisions for Sunday liquor sales. If signed into law, this could affect changes in our municipal codes, would be address in the 2021 statutory updates process with General Codes.
- HB 271 (Sponsor: Wiemann) The Bill establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. The legislation passed with 23 amendments. Some of the amendments include the modification to the filling period for municipal elections, public health orders restrictions, the prohibition of new fees for satellite or streaming services, restrictions of public funds for political purposes, and a prohibition on requiring documentation of vaccinations.
- SB 262 (Sponsor: Schatz) This legislation allows a 12.5 cent per gallon (2.5 cents per year) increase on fuel taxes over a five-year period. There is provision that allows taxpayers to receive a rebate of the additional taxes paid if they provide receipts and certain information to the Department of Revenue.
  - The Americans for Prosperity group has already filed a petition with the Secretary of State to put the gas tax increase to a public vote in 2022. The petition is now open for public comments, and, if approved by the Secretary of State, the group can begin to gather the necessary signatures needed to get it on the ballot.
- SB 63 (Sponsor: Rehder) This Bill establishes a statewide prescription drug monitoring program. Passage of the bill ensures that Missouri will now longer be the only state in the nation without such a program.

Governor Parson must act on non-budget bills by July 14, 2021. The veto session begins on September 15.