



**CITY OF WELDON SPRING
BOARD OF ALDERMEN REGULAR MEETING
ON THURSDAY, APRIL 22, 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/j/86086481629?pwd=c1NmVVkvSzNqVmRWOEc4L1V4OUQ3dz09>

Meeting ID: 860 8648 1629

Password: BO210422

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

Meeting ID: 860 8648 1629

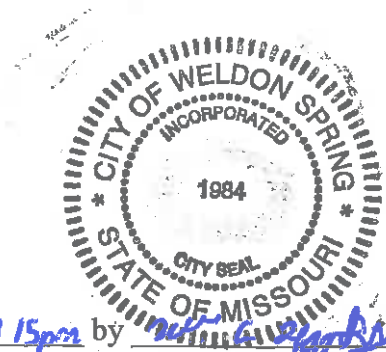
Password: 06842285

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 4/20/21 at 3 15pm by nick G. [signature]



****AGENDA****

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL and DETERMINATION OF A QUORUM**
4. **PRESENTATIONS**
 - A. St. Charles County Economic Development Council Presentation – **Scott Drachnik, President of the EDC**
5. **CITIZENS COMMENTS**
6. **APPROVAL OF MINUTES**
 - A. April 13, 2021 – Regular Board Meeting Minutes
7. **CITY TREASURER**
 - A. Paid Bills (4-7-21 – 4-15-21)
8. **UNFINISHED BUSINESS**
 - A. Bill #1163 - An Ordinance Authorizing the Mayor of the City of Weldon Spring to Enter into an Agreement Guaranteeing Maintenance of Certain Improvements with Covington Developer. LLC, Manager of Covington Vanguard Weldon Spring, Owner, LLC, and Matters Relating Thereto– **Alderman Schwaab**
 - B. 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 – **Alderman Martiszus**
9. **NEW BUSINESS**
 - A. Certification of Election Results – **City Clerk**
 - B. Oath of Office – **City Clerk**
 - C. Election of Acting President of the Board of Aldermen
 - D. 22 Lissadell Lane Escrow Release (**Motion Needed**)
 - E. 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**
 - F. Resolution 4-22-21 – A Resolution Expressing the City of Weldon Spring, Missouri, Board of Aldermen's Opposition to House Bill No. 920 of the 101st General Assembly – **Alderman Yeager**
 - G. Six (6) Month Receipts and Disbursements Publication Approval – **City Administrator**
 - H. Lot C – Engineering Design & Utility Coordination Project – Contract Recommendation – **City Administrator**
 - I. Firework Stand Approval – **City Administrator**
 1. Dave Shaiper Fireworks, LLC - Wolfrum Crossing Shopping Center
 2. Hales Firework, LLC - Independence Road (adjacent to the DQ)
 3. Meramec Specialty Co. - Highway 94 & Siedentop Road
 3. Meramec Specialty Co. - Technology Drive
 5. Powder Monkey - Cornerstone Crossing
10. **REPORTS & COMMITTEES**
 - A. Parks & Recreation Advisory Committee
 - B. Planning & Zoning
 - C. City Administrator
 - D. City Attorney
 - E. Legislative Report – **City Clerk**
11. **RECEIPTS & COMMUNICATIONS**
12. **ADJOURNMENT**



CITY OF WELDON SPRING
REGULAR MEETING OF THE BOARD OF ALDERMEN
April 13, 2021

CALL TO ORDER: The regular meeting of the Board of Aldermen of the City of Weldon Spring was held on Tuesday, April 13, 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: March 25, 2021, Board Special Meeting Minutes - Alderman Yeager moved to approve the minutes from the March 25, 2021, special meeting as written, seconded by Alderman Schwaab. **Motion carried** with 6 ayes.

March 25, 2021, Board Minutes - Alderman Yeager moved to approve the minutes from the March 25, 2021, regular meeting as written, seconded by Alderman Schwaab. **Motion carried** with 6 ayes.

TREASURER'S REPORT: Alderman Martiszus made a motion to accept the Treasurer's packet of paid bills from March 16, 2021 to April 6 and unpaid bills from March 26, 2021 to April 13, 2021, seconded by Alderman Yeager. **Motion carried** with 6 ayes.

OLD BUSINESS:

There was no old business discussed.

NEW BUSINESS:

Vanguard Apartments (Trace) Site Improvements Final Escrow Release: Alderman Martiszus made a motion to fully released the remaining Site Improvement Escrow,

which is \$226,006.72, the original full escrow amount was \$2,260,067.15, seconded by Alderman Schwaab. **Motion carried** with 6 ayes.

Vanguard Apartments (Trace) Maintenance Guarantee Final Escrow Release:

Alderman Martiszus made a motion to release the remaining amount of the escrow, which is \$32,950.37, the original full escrow amount was \$234,669.33, seconded by Alderman Kolb. **Motion carried** with 6 ayes.

An Ordinance Authorizing the Mayor of the City of Weldon Spring to Enter into an Agreement with Guaranteeing Certain Improvements with Covington Developer, LLC Manager of Covington Vanguard Weldon Spring, LLC, Owner, Guaranteeing Certain Improvements, and Matters Relating Thereto: Alderman Schwaab moved to introduce Bill #1163 for its first reading by title only. Alderman Yeager seconded the motion and the **motion carried**.

Bill # 1163 was tabled in accordance with City Code.

Cinco de Mayo Event - Temporary Liquor License for Los 3 Compadres: Alderman Baker made a motion to approve a temporary Liquor License for Los 3 Compadres, seconded by Alderman Yeager. **Motion carried** with 6 ayes.

The temporary Liquor License allows Los 3 Compadres to sell alcohol in the parking lot at 1000 Wolfrum Road on May 5, 2021.

FY 2020 Audited Financial Statement: Alderman Clutter made a motion to formally accept the FY 2020 Audited Financial Statements, seconded by Alderman Martiszus. **Motion carried** with 6 ayes.

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: Alderman Martiszus moved to introduce Bill #1164 for its first reading by title only. Alderman Schwaab seconded the motion and the **motion carried**.

Bill # 1164 was tabled in accordance with City Code.

REPORTS AND COMMITTEES:

PRAC Committee: Nick Baldecchi, the Chairman for the Parks & Recreation Advisory Committee, stated that a Work Session will be schedule before the next meeting in May to walk and discuss Lot C, which is land dedicated for a new park located next to the Trace Upscale Apartments on Siedentop Road. Also, he indicated that the City is planning to have a firework display at Weldon Spring City Park on July 2, 2021.

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 Baker requested that a Work Session in the future to discuss the issue of property maintenance.

Alderman Schwaab brought up that he received complaints about the number of deer spotted in the Camelot Subdivision.

ADJOURNMENT:

Alderman Kolb moved to adjourn the meeting at 8:13 PM and Alderman Martiszus seconded the motion. **Motion carried** with 6 ayes.

Respectfully submitted,

William C. Hanks
City Clerk

**PAID BILLS TO BE APPROVED
APRIL 7, 2021 -- APRIL 15, 2021**

EXCEPT FOR THE ITEMS NOTED, THE ATTACHED LIST IS APPROVED BY THE BOARD OF ALDERMAN FOR PAYMENT. APPROVED THIS
22nd DAY OF APRIL, 2021 _____, MAYOR

April 7 -- April 15, 2021

CLAIMS REPORT

<u>VENDOR</u>	<u>REFERENCE</u>	<u>GL ACCT NO</u>	<u>AMOUNT</u>	<u>CHECK #</u>	<u>CHECK DATE</u>
BUILDINGSTARS OPERATIONS INC	MONTHLY HOUSEKEEPING	20-20-5244	\$ 240.00	11290873	4/12/2021
CLAUDE C KNIGHT	MUNI COURT JUDGE	10-10-5303	\$ 300.00	9210	4/12/2021
FLO-SYSTEMS INC	NID REPAIR 5652 INDEPENDENCE RD-KRAMER	31-31-5566	\$ 201.40	16397	4/14/2021
LASHLY & BAER, P.C.	MUNI PROSECUTING ATTY	10-10-5304	\$ 800.00	9211	4/12/2021
MISSOURI LAWYERS MEDIA	PUBLIC NOTICES	10-10-5214	\$ 119.00	9209	4/12/2021
MOCCFOA EASTERN DIVISION	MONTHLY CLERKS MTG/LUNCH	10-10-5201	\$ 16.00	16398	4/14/2021
PRAMIRA	REFUND OVERPYMT/PERMIT	10-10-4815	\$ 200.00	16399	4/14/2021
PURITAN SPRING WATER	BOTTLE WATER	20-20-5255	\$ 26.44	11290874	4/12/2021
RICHARD & KRISTI ALLEN	REFUND OVERPYMT PERMIT	10-10-4815	\$ 100.00	16400	4/14/2021
ST CHARLES ENGINEERING	VANGUARD INSPECTION	10-10-5311	\$ 146.25	9208	4/12/2021
SUE STEIGER	MILEAGE REIMB	10-10-5202	\$ 8.96	16401	4/14/2021

Accounts Payable Total

\$ 2,158.05

BILL NO. 1163

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF WELDON
SPRING, MISSOURI, TO ENTER INTO AN AGREEMENT GUARANTEEING
MAINTENANCE OF CERTAIN IMPROVEMENTS WITH COVINGTON
DEVELOPER, LLC, MANAGER OF COVINGTON VANGAURD WELDON SPRING,
OWNER, LLC, AND MATTERS RELATING THERETO**

WHEREAS, Covington Developer, LLC, is the manager of Vanguard Apartments now known as the Trace Upscale Apartments and formally known as the Vogt property ; and

WHEREAS, the City Engineer, had conducted an inspection to determine that the Vanguard Apartments Subdivision Escrow Agreement can be released; and

WHEREAS, the City of Weldon Spring has requested that the Developer provide for the guarantee of the maintenance of the improvements in said subdivision pursuant to section 410.460 (E) of the City of Weldon Spring City Code; and

WHEREAS, The City Engineer had approved the plans and the estimated cost for the ten percent (10%) maintenance deposit, which shall be in the form of escrow agreement in the amount of five thousand two hundred sixty-two dollars and fifty-eight cents (\$5,265.58) as set out in "Exhibit A".

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

SECTION 1: That the Board of Alderman hereby authorizes the Mayor to execute a maintenance guarantee agreement, with Covington for a right turn lane and signage on Siedentop Road, which is set out in "Exhibit A"

SECTION 2: The City of Weldon Spring City Code requires that Covington maintain the improvements for a period up to 18 months.

SECTION 3: Prior to the Board of Aldermen's acceptance of the specific improvements, the City Code requires a ten (10%) percent deposit (of the overall cost estimate approved by the City Engineer), in the sum of five thousand two hundred sixty-two dollars and fifty-eight cents (\$5,265.58).

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 _____, 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>
Clutter	_____	_____	_____
Yeager	_____	_____	_____
Schwaab	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Baker	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

BILL NO. 1164

ORDINANCE NO. _____

**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**

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

SECTION 1: Article XV of Chapter 210 of the Municipal Code of the City of Weldon Spring, Missouri is hereby amended by the enactment of a new section, to be designated as Section 210.2470, to read as follows:

Section 210.2470 - Deposit of Snow or Ice in Street or Public Right-of-Way

- A. All commercial businesses, property owners, or persons employed or under contract with said owners, within the City limits who are engaged in the removal of snow, ice, or other frozen precipitation shall not allow such snow, ice or other frozen precipitation to be deposited on the sidewalk, walking path, street, right-of-way, or anything for public use. Nor shall any person or persons engaged in the removal of snow or ice allow such snow, ice or other frozen precipitation to be deposited on or against any fire hydrant.**
- B. Any commercial business or property owner who fails to comply with, or commits any violation of, any provision of this Ordinance, whether said act is done by the owner or by persons employed or under contract with the property owner, shall be charged with an ordinance violation, which shall be punishable, upon conviction thereof, pursuant to Section 100.220, General Penalty, in the Weldon Spring Municipal Code. This fine shall be in addition to any other remedies 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.**

SECTION 2: That this ordinance shall be in full force and effect immediately 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 _____ 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	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

Election Summary Report
GENERAL MUNICIPAL ELECTION
ST. CHARLES COUNTY, MISSOURI
TUESDAY, APRIL 6, 2021
Election Results
April 6, 2021 Official Results

Date: 4/16/2021
Time: 2:30:03 PM CDT
Page 1/1

Registered Voters 286,199 - Total Ballots 28,092 : 9.82%

123 of 123 Precincts Reporting 100.00%

WELDON SPRING MAYOR

Number of Precincts	6	
Precincts Reporting	6	100.00%
Vote For 1		
Total Votes	905	

KATE W. BAUER	425	46.96%
DON LICKLIDER	480	53.04%

WELDON SPRING ALDERMAN WARD I

Number of Precincts	2	
Precincts Reporting	2	100.00%
Vote For 1		
Total Votes	252	

TOM YEAGER	252	100.00%
------------	-----	---------

WELDON SPRING ALDERMAN WARD II

Number of Precincts	6	
Precincts Reporting	6	100.00%
Vote For 1		
Total Votes	385	

JANET KOLB	261	67.79%
KEVIN MARTIN	121	31.43%
VICTOR CONLIN (W)	3	0.78%

WELDON SPRING ALDERMAN WARD III

Number of Precincts	3	
Precincts Reporting	3	100.00%
Vote For 1		
Total Votes	170	

GERRY BAKER	170	100.00%
-------------	-----	---------



IN WITNESS WHEREOF: I, Kurt Bahr, Director of Elections in and for the County of St. Charles, State of Missouri, do hereby certify the figures set out herein are Official Results of the April 6, 2021 General Municipal Election. Given under my hand and official seal this 16th day of April 2021.

Kurt M. Bahr, Director of Elections, St. Charles County Missouri

Release of Escrow

To: Sue Steiger – City Treasurer

CC: Steve Lauer – Zoning Commissioner

CC: Michael Padella – City Administrator

CC: Bill Hanks – City Clerk

Re: Land Use Permits A-19-076

Please release \$5,000 of the funds being held in escrow for the house construction at 22 Lissadell (receipt #2581), control numbers 19-0076. Construction has been completed and all City codes have been observed and re-inspected 4/13/21.

The \$5,000 total escrow for the house should be released to: Daniel and Alicia Walters.

Mark Rockamann
Code Enforcement Officer
Weldon Spring, MO



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

From: William C. Hanks (City Clerk)

Subject: 2020 Statutory Update Bill

Date: 4/20/21

The Statutory Update Bill is an annual Bill passed by the City of Weldon Spring to allow the municipal codes to come back in alignment with State Statutes that were recently changed. The passage of Ordinance 20-24 authorized the 2019 Statutory Updates. The proposed Bill has already been reviewed by our City Attorney. Upon passage, this will allow our municipal codes would be align with the 2020 State Statues.

For further information on any of the changes to the municipal codes by the 2020 statutory updates, please review the Schedule A document.

City of Weldon Spring
2020 Statutory Updates Incorporated During Supplement # 3

The following Sections of the Code have been updated with the 2020 statutory material. All revised Sections will be in effect following the City's adoption of the Code.

Section/Subsection of the Code	Description of the Revision Based on State Law Change	Pursuant to RSMo. Section
100.220	Changed the General Penalty Section to match the City's prior Adopting Ordinance language combined with the Statutory Authority/Penalty Provisions in the City's Code derived from Section 79.470, RSMo., there was no change in the Statute, this is just a cleanup of inconsistent material.	
210.010	The following offenses have been added to the definition of DANGEROUS FELONY: armed criminal action, conspiracy to commit an offense when the offense is a dangerous felony, and vehicle hijacking when punished as a Class A felony.	556.061
210.030	This Section, which previously pertained to conspiracy to commit an offense, has been removed from the Model Code. This statutory offense was revised to apply only to felony offenses and has been reclassified as a Class C felony. A footnote has been added to this Section noting the change.	562.014
210.1960	NO CHANGE MADE TO THIS SECTION: The City should review the definition of MINOR in this Section. This material is not directly Statutory, however the changes in Section 211.021, RSMo., specifically the age set out in the definition of MINOR, may need to be changed to be in compliance with the Statutes.	211.021
300.010	The definition of ALL-TERRAIN VEHICLE has been revised so that the definition is consistent throughout the Statutes. The maximum vehicle width and maximum unladen dry weight have been increased in the definitions of RECREATIONAL OFF-HIGHWAY VEHICLE and UTILITY VEHICLE.	300.010, 301.010
370.190	This Section, which previously pertained to the use of headgear while operating or riding as a passenger on a motorcycle or motortricycle, has been removed from the Model Code. The statutory provisions were revised to preempt political subdivisions from imposing regulations of this nature. A footnote has been added to this Section noting the change.	302.020
380.100	The following wording has been added to this Section: " <u>shall be presumed fraudulent and void unless the parties have executed a written agreement for delayed delivery of certificate of ownership as provided in Subsection 5 of Section 301.210, RSMo.</u> "	301.210
380.110	Additional wording has been added to this Section to allow for an extended period of validity of transferred plates when a dealer is selling the motor vehicle under the provisions of Subsection 5 of Section 301.210, RSMo.	301.140

Section/Subsection of the Code	Description of the Revision Based on State Law Change	Pursuant to RSMo. Section
380.120	Additional wording has been added to this Section in two places to allow for an extended period of validity of temporary permits authorizing the operation of a motor vehicle when issued by a dealer selling the motor vehicle under the provisions of Subsection 5 of Section 301.210, RSMo.	301.140

BILL NO. _____

ORD. NO. _____

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

Be it ordained by the Board of Aldermen of the City of Weldon Spring, County of St. Charles, State of Missouri, as follows:

Section 1. Approval, Adoption and Enactment of Code.

Pursuant to Section 71.943 of the Revised Statutes of Missouri, the codification of ordinances, as set out in Titles I through VII, each inclusive, of the "Code of Ordinances of the City of Weldon Spring, County of St. Charles, State of Missouri," is hereby adopted and enacted as the "Code of Ordinances of the City of Weldon Spring"; which shall supersede all other general and permanent ordinances of the City passed on or before June 25, 2020, to the extent provided in Section 3 hereof.

Section 2. When Code Provisions Effective.

All provisions of such Code shall be in full force and effect from and after the effective date of this ordinance as set forth herein.

Section 3. Repeal of Legislation Not Contained in Code; Legislation Saved From Repeal; Matters Not Affected By Repeal.

- A. All ordinances of a general and permanent nature of the City adopted on final passage on or before June 25, 2020,, and not included in such Code or recognized and continued in force by reference therein, are hereby repealed from and after the effective date of this ordinance, except those which may be specifically excepted by separate ordinance, and except the following which are hereby continued in full force and effect, unless specifically repealed by separate ordinance:
1. Ordinances promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds or notes of the City or any other evidence of the City 's indebtedness, or authorizing any contract or obligation assumed by the City.
 2. Ordinances levying taxes or making special assessments.
 3. Ordinances appropriating funds or establishing salaries and compensation, and providing for expenses.

4. Ordinances granting franchises or rights to any person, firm or corporation.
 5. Ordinances relating to the dedication, opening, closing, naming, establishment of grades, improvement, altering, paving, widening or vacating of streets, alleys, sidewalks or public places.
 6. Ordinances authorizing or relating to particular public improvements.
 7. Ordinances respecting the conveyances or acceptance of real property or easements in real property.
 8. Ordinances dedicating, accepting or vacating any plat or subdivision in the City or any part thereof, or providing regulations for the same.
 9. Ordinances annexing property to the City.
 10. All zoning and subdivision ordinances not specifically repealed and not included herein.
 11. Ordinances establishing TIF districts or redevelopment districts.
 12. Ordinances relating to traffic schedules (e.g., stop signs, parking limits, etc.).
 13. All ordinances relating to personnel regulations (e.g., pensions, retirement, job descriptions and insurance, etc.).
 14. Ordinances authorizing the establishment of industrial development corporations.
 15. Ordinances establishing tax rates for the City.
- B. The repeal provided for in this Section shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.
- C. The repeal provided for in this Section shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to such date.

Section 4. Amendments To Code.

Any and all additions and amendments to such Code when passed in such form as to indicate the intention of the Board of Aldermen to make the same a part thereof shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances of the City of Weldon Spring" shall be understood and intended to include such additions and amendments.

Section 5. Violations and Penalties.

- A. Whenever in this Code or any other ordinance of the City, or in any rule, regulation, notice or order promulgated by any officer or agency of the City under authority duly vested in him/her or it, any act is prohibited or is declared to be unlawful or an offense, misdemeanor

or ordinance violation or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, misdemeanor or ordinance violation, and no specific penalty is provided for the violation thereof, upon conviction of a violation of any such provision of this Code or of any such ordinance, rule, regulation, notice or order, the violator shall be punished by a fine not exceeding five hundred dollars (\$500.00) or by imprisonment in the City or County Jail not exceeding ninety (90) days, or by both such fine and imprisonment; provided, that in any case wherein the penalty for an offense is fixed by a Statute of the State, the statutory penalty, and no other, shall be imposed for such offense, except that imprisonments may be in the City prison or workhouse instead of the County Jail.

- B. Whenever any provision of the Revised Statutes of Missouri or other Statute of the State limits the authority of the City to punish the violation of any particular provision of these ordinances or rules, regulations or orders promulgated pursuant thereto to a fine of less amount than that provided in this Section or imprisonment for a shorter term than that provided in this Section, the violation of such particular provision of these ordinances or rules, regulations or orders shall be punished by the imposition of not more than the maximum fine or imprisonment so authorized, or by both such fine and imprisonment.
- C. Whenever any provision of the Revised Statutes of Missouri or other Statute of the State establishes a penalty differing from that provided by this Section for an offense similar to any offense established by these ordinances, rules, regulations or other orders of the City, the violation of such City law, ordinance, rule, regulation or order shall be punished by the fine or imprisonment established for such similar offense by such State law.
- D. Every day any violation of this Code or any other ordinance or any such rule, regulation, notice or order shall continue, shall constitute a separate offense.
- E. Whenever any act is prohibited by this Code, by an amendment thereof, or by any rule or regulation adopted thereunder, such prohibition shall extend to and include the causing, securing, aiding or abetting of another person to do said act. Whenever any act is prohibited by this Code, an attempt to do the act is likewise prohibited.

Section 6. Applicability of General Penalty.

In case of the amendment by the Board of Aldermen of any Section of such Code for which a penalty is not provided, the general penalty as provided in Section 5 of this ordinance shall apply to the Section as amended; or in case such amendment contains provisions for which a penalty other than the aforementioned general penalty is provided in another Section in the same Chapter, the penalty so provided in such other Section shall be held to relate to the Section so amended, unless such penalty is specifically repealed therein.

Section 7. Filing of Copy of Code; Codes To Be Kept Up-To-Date.

A copy of such Code shall be kept on file in the office of the City Clerk, preserved in loose-leaf form or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk, or someone authorized by said officer, to insert in their designated places all amendments and all ordinances or resolutions which indicate the intention of the Board of Aldermen to make the same part of such Code when the same have been printed or reprinted in page form and to extract from such Code all provisions which from time to time may be repealed by the Board of Aldermen. This copy of such Code shall be available for all persons desiring to examine the same.

Section 8. Altering or Tampering With Code; Violations and Penalties.

It shall be unlawful for any person to change or alter by additions or deletions any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Weldon Spring to be misrepresented thereby. Any person violating this Section shall be punished as provided in Section 5 of this ordinance.

Section 9. Severability.

It is hereby declared to be the intention of the Board of Aldermen that the Sections, paragraphs, sentences, clauses and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or Section of this ordinance or the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of this ordinance or the Code hereby adopted.

Section 10. Effective Date.

This ordinance and the Code adopted hereby shall become effective _____, 20____.

PASSED by the Board of Aldermen of the City of Weldon Spring this _____ day of _____ 20____.

APPROVED by the Mayor of the City of Weldon Spring this _____ day of _____ 20____.

Donald D. Lickliger, Mayor

Attest:

William C. Hanks, City Clerk

To approve Bill #

Motioned: _____

Seconded: _____

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

Absent: _____

A RESOLUTION EXPRESSING THE CITY OF WELDON SPRING,
MISSOURI, BOARD OF ALDERMEN'S OPPOSITION TO HOUSE
BILL NO. 920 OF THE 101ST GENERAL ASSEMBLY

WHEREAS, decreasing the already limited options throughout the year to hold elections would have a negative impact on the ability for voters to be engaged on local issues; and,

WHEREAS, the proposal set forth in House Bill No. 920 to establish the General Municipal Election on the first Tuesday after the first Monday in November would create increased burdens on local governments to educate voters about local ballot measures; and,

WHEREAS, the April ballot includes important local races for city council members, aldermen, and school board officials; voters have come to expect that; and

WHEREAS April elections are intentionally tailored to community-specific issues such as electing local officials, local tax measures and other local community initiatives; and

WHEREAS, evidence does not exist to suggest that election dates for municipalities in November will result in enhanced voter knowledge of local ballot measures; and

WHEREAS, November elections tend to have an increased number of races and ballot measures due to the nature and type of elections that are considered later in the year, and the addition of local candidates, initiatives, and propositions would increase ballot fatigue and reduce voter enthusiasm; and,

WHEREAS, municipal elections are inherently non-partisan and the mixture of partisan and non-partisan races may complicate election administration logistics for election authorities; and,

WHEREAS, the partisan nature of November elections may overshadow the focus that municipal elections in April traditionally have on community issues and negatively affect communities across the State; and,

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

SECTION 1: The Mayor and the Board of Aldermen of the City of Weldon Spring hereby urges our State Senators of Senate District 23 and State Representatives of

Representative Districts 70, 102, and 103 to vote against House Bill No. 920 that would cause the General Municipal Election to be considered in the month of November rather than the month of April if enacted.

SECTION 2: The Board of Aldermen urges Governor Mike Parson to veto any legislation passed by the Missouri General Assembly that would change the General Municipal Election date from April to November.

SECTION 3: The City Clerk shall forward a copy of this resolution to Governor Mike Parson, Senator Bill Eigel, and the following State Representatives: Paula Brown, Ron Hicks, and John Wiemann.

SECTION 4: This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Read and adopted this 22th day of April, 2021

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Clerk

City of Weldon Spring, Missouri
Unaudited Statement of Receipts and Disbursements
and Indebtedness
For the Six Months Ended March 31, 2021

	General Fund	Municipal Building & Park Fund	Revenue Sharing & Road Funds	Notations	Escrow & Maintenance Funds	Notations	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 ¹				\$56,632
Sewer NID Assessments/Fees (Delinquent payments)					\$5,818		\$5,818
Other (Includes Interest)	\$13,370	\$2,401					\$15,771
CARES Reimbursements	\$66,693					²	\$66,693
Total Revenues	\$349,609	\$212,778	\$166,433		\$5,818		\$734,638
Expenditures:							
Personnel Services	\$176,514	\$67,844					\$244,358
Professional Services	\$21,780		\$6,606				\$28,386
Operating Expenses	\$49,186	\$16,714	\$1,890				\$67,790
Law Enforcement			\$210,546 ³				\$210,546
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 issue
(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 grant:
(5) Transfer from Sewer Fund Balance to cover NID close out expense:
(6) Roadway maintenance with County projected to exceed balance held in SCC account

Fireworks Stand Applicant List: 2021					
Applicant/Operator	Location	Mailing Address	Zoning Designation	Type	Contact
David Shaiper Fireworks LLC	1005 Wolfum Rd. - Crossing Shopping Center	1041 Matson Hill Rd., Defiance, MO 63341	General Commercial District	Fireworks stand	David Shaiper
Hale Fireworks LLC	Weldon Spring Pkwy/Independence Rd. - Next to Dairy Queen	PO Box 1040, Buffalo, MO 65622	Planned Commercial District	Fireworks stand	Sharlene Highfill or Carolyn
Meramec Specialty Co.	Rt. 94 & Siedentop Rd.	P.O. Box 305, Arnold, MO 63010	Commercial District	Fireworks stand	Thomas Dixon
Meramec Specialty Co.	David Bender property along I-	P.O. Box 305, Arnold, MO 63010	HTO - High Tech Office	Fireworks stand	Thomas Dixon
Powder Monkey Fireworks	Dr. - Cornerstone Crossing	PO Box 13, Lone Jack, MO 64070	Commercial District	Fireworks stand	Chris Sanders

Recommend the Board make a motion authorizing the City Administrator to issue Temporary Firework Sales Permits to the above listed Operators in conjunction to the location listed; contingent upon their completing the appropriate paperwork, making payment(s) and adhering to the City's Fireworks Ordinance: Chapter 620.

CITY OF WELDON SPRING
4/22/21– BOA Meeting (Changes in Red)
CITY CLERK'S LEGISLATIVE REPORT

Here are some of the legislative issues that the City of Weldon Spring may be interested in monitoring this session:

Video Franchising

- **HB 386 (Sponsor: Fitzwater)** – The Bill establishes a Task Force on the Future of Right-Of-Way Management and Taxation. Also, lowers video franchise fees from 5% to 2.5 % over 5 years. This Bill was referred to the House Committee on Utilities on February 4, 2021.
 - **Major Potential Impact to WS** – City's video franchise fees from Spectrum and AT&T would be reduced over time down by \$28,964 and \$11,962 respectively. This would be an estimated reduction to our General Fund revenue by 7% annually ultimately.
- **SB 163 (Sponsor: Cierpiot)** – The Bill has the very similar language to HB 386 in creating a task force and reducing video franchise fees from 5% to 2.5% over the next 5 years. **On April 20, 2021, the Bill was placed on the informal calendar of Senate Bills for perfection.**
 - **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.

Wayfair Legislation

Note: There are several different Bills introduced in the State Legislature regarding Wayfair Legislation (Internet Sales). Gov. Mike Parson identified the tax as a priority this session, hoping to bolster the state's economy through ever-increasing online commerce. Here are some of the Bills that are gaining the most momentum on the topic:

- **HB 644 (Sponsor: Faulkner)** – The Bill implements Wayfair Sale and Use Tax Agreement. On February 22, 2021, the Bill was passed out of the House Ways and Means Committee with an 7-2 vote and referred to the House Rules Committee on Administrative Oversight.
 - **Support this Initiative**
- **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 was heard before the House Ways & Means Committee on April 14, 2021. An Executive Session (on this Bill) is scheduled for this Bill on April 21, 2021**

- The Missouri Municipal League strongly supports SB 153.
- **HB 554 (Sponsor: Eggleston)** – This bill implements Wayfair sales and use tax law. However, the Bills includes several harmful provisions for municipalities, such as requiring voters to re-approve use taxes previously approved, prohibiting municipalities from imposing any tax/fee/license on satellite or streaming services, and not including language pushing the implementation of the definition of cable gross revenue to 2023. On March 11, 2021, the House passed the bill by a 96-59 vote. **On April 1, 2021, a hearing was scheduled before the Senate Ways & Means Committee.**
 - The Missouri Municipal League strongly opposes HB 554.

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. **On April 20, 2021, the Bill was placed on the informal calendar of Senate Bills for perfection.**
 - **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.
- **HJR 57 (Sponsor: Wiemann)** – This Bill is the House version on the elimination of personal property tax, which would begin on January 1, 2027. This version would let the voters decide. The Bill was heard before the House Ways & Means Committee on April 7, 2021.
 - **Medium Potential Impact to WS** – County Road & Bridge property tax would be negatively impacted, and the portion allocated to Weldon Spring would be reduced by \$11K - \$15K annually by 2026. This would be roughly a 5% - 7% annual reduction to our Road & Bridge Maintenance Fund ultimately.
- **SB 99 (Sponsor: Koenig)** – The Bill changes the requirement for community improvement districts (CIDs) and transportation development districts (TDDs) for sales tax on purchases made within such districts from the approval of majority of voters living within the district,

to the approval of majority of the voters in the municipality, in which the district is located. This Bill was referred to the Ways & Means Senate Committee on January 21, 2021.

- **Potential Future Impact on all CIDs & TDDs** – Would increase the lead time adding election and legal fees to the process.
- **SB 252 (Onder)** – The Bill requires that 0.5% of the 3% state sales tax shall be deposited into the State Road Fund. The remaining 2.5% shall continue to be deposited into the General Revenue Fund. The act phases in the amount deposited into the State Road Fund over a period of five years, with an increase of 0.1% each year. This Bill was referred to the Senate Transportation, Infrastructure, and Public Safety Committee on January 28, 2021
 - **Unknown Impact...**

Election

- **HB 920 (Sponsor: Baker)** – The Bill changes municipal election day to November. Also, the Bill modifies the procedures to follow in the event there is a vacancy. **On April 15, 2021, this Bill was perfected. This Bill was placed on the House informal calendar on April 20, 2021.**
 - **Negative Impact** – This Bill could encourage local election turnout; however, this could create a more expensive election for political subdivisions because more ballot styles might be needed. By moving the municipal elections to November, the ballot will be longer, which would possibly create ballot fatigue for the voters and bury local issues on the ballot.
- **SB 27 (Sponsor: Crawford)** – The Bill will shorten the municipal election filing period from 4 weeks to 2 weeks. This Bill passed the Senate. **On March 8, 2021, the Bill was read for the second time in the House.**
 - **Support this Initiative**
- **SB 161 (Sponsor: Crawford)** – The Bill modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. This Bill was referred to the Local Government & Elections Senate Committee on January 28, 2021.
 - **Support this Initiative**
- **SJR 5 (Sponsor: Eigel)** – This constitutional amendment, if approved by the voters, requires all proposals for new local taxes or fees or for an increase in an existing tax or fee to be submitted to the voters on a general election day. This Bill was referred to the Senate Local Government and Elections Committee on February 8, 2021.

- **Negative Impact** – This will create a bigger hurdle for proposing tax/fee ballot initiatives with longer ballots and difficulty to educate the voter on a local issue as more campaign literature distributed.
- **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. This Bill was referred to the Senate Local Government and Elections Committee on February 8, 2021.
 - **Negative Impact** – This would greatly increase the difficulty in obtaining positive tax/fee initiative outcomes.

Sunshine Law & Records

- **HB 27 (Sponsor: Walsh)** - Requires posting meeting notices and Minutes on the City's website and social media pages. Plus, all approved legislation must be posted on the City's website and social media pages within 24 hours after the meeting. This Bill was referred to the House Special Committee on Government Accountability Committee on January 14, 2021. **On April 15, 2021, the House passed the bill by a 150-0 vote. The Bill was read for the first time in the Senate on April 19, 2021.**
 - **Negative Impact** – Unfunded Mandate - Increases the demands on staff and entity resources to comply with Sunshine Laws as it relates to social media. Would likely require more sophisticated software to track and record social media posts and auto archive.
- **HB 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. **On April 15, 2021, the House passed the bill by a 150-0 vote. The Bill was read for the first time in the Senate on April 19, 2021.**
 - **Support this Initiative** – Provides a level of security to the public entity as it relates to security and safety operations/response and procedures.
- **HB 362 (Sponsor: DeGroot)** – Allows the City to close records related to email addresses and telephone numbers submitted to a public governmental body by individuals or entities with the sole purpose of receiving electronic or other communications. On February 18, 2021, the House passed the bill by a 149-1 vote. **On April 15, 2021, the Senate Governmental Accountability & Fiscal Oversight Committee voted 8-0 to do pass this Bill.**
 - **Support this Initiative** – Allows the public to register and request to receive automatic notices/correspondence and not be subjected to a Records/Sunshine Request to obtain their personal contact information.

Miscellaneous

- **SB 126 (Sponsor: Brown)** – This Bill extends the hours for sale of intoxicating liquor. On April 15, 2021, the Senate passed the bill by a 28-4 vote. The Bill was for the second time in the House on April 19, 2021.
 - **Impact to WS** – This will allow some local businesses more flexibility and opportunity to increase their sales.
- **SB 283 (Sponsor: Hoskins)** – This Bill allows bars and restaurants to permanently sell alcoholic drinks to go. On April 19, 2021, the Bill was heard before the House Committee of General Laws.
 - **Impact to WS** – The State temporarily allowed this provision during the pandemic. This will continue the flexibility and opportunity to increase their sales on a permanent basis.
- **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. On February 18, 2021, the House passed the bill by a 149-2 vote. On April 15, 2021, the Senate Local Government & Elections Committee voted 7-0 to do pass this Bill.
 - **Neutral/Impact Unknown**
- **HB 491 (Sponsor: Grier)** - This bill prohibits municipalities from restricting the operation of a "no-impact home-based business" or otherwise requiring a person to apply for or obtain a permit, license, variance, or other prior approval to operate a no-impact home-based business. The bill establishes a list of factors that qualify a home-based business as a no-impact home-based business. This Bill was placed on the House informal calendar.
 - **Negative Impact** – This Bill would prohibit local governments from issuing home-based business licenses. Currently, the City of Weldon Spring has 35 home-based businesses that have licenses and some of those businesses remit sales tax to the state. Without the ability to issue business licenses or renewals, it will be difficult to have a check and balance to ensure that these businesses are remitting the right sales tax because I require a no-tax due letter before issuing any license from the City of Weldon Spring. Without a check for compliance, our sale tax revenue could be affected. Furthermore, approximately in \$1,225.00 in license fees would be lost annually. Also, Bill 491 will create more difficulty in maintaining the residential character of local neighborhoods.
- **HB 555 (Sponsor: Eggleston)** – This bill is an omnibus bill. While it implements Wayfair legislation, it lowers income tax, requires municipal voter approval of CIDs and TDDs, gradually eliminates video service provider fees, creates penalties for political subdivisions

failing to file annual financial reports, including a public vote for disincorporation, and changes definition of blight for economic development. **This Bill was placed on the House informal calendar.**

- **Negative Impact** – This could decrease the overall revenue stream for the City and make economic development more challenging for the City

For further information on any proposed legislation, please check out the following links:

- ✓ Municipal League of Metro St. Louis Legislative Report:

<https://www.stlmuni.org/wp-content/uploads/2021/02/LEGISLATIVE-UPDATE-2-19-21.pdf>

- ✓ Missouri Municipal League Bills of Interest for Municipal Officials:

<https://www.govwatch.net/report/12676>

- ✓ Missouri General Assembly – House of Representative Home Page

<https://house.mo.gov/LegislationSP.aspx>

- ✓ Missouri General Assembly – Senate Home Page

<https://www.senate.mo.gov/legislation>