

CITY OF WELDON SPRING BOARD OF ALDERMEN WORK SESSION ON TUESDAY, FEBRUARY 8, 2022, AT 6:00 P.M. WELDON SPRING CITY HALL 5401 INDEPENDCE ROAD WELDON SPRING, MISSOURI 63304

****TENTATIVE AGENDA****

A NOTICE IS HEREBY GIVEN that the Regular Board of Aldermen Meeting will be in person at 5401 Independence Road Weldon Spring, Missouri, 63304. Also, the public can 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/85665879998?pwd=Uk5weFl2cEhNM3ZsZUpLbStoSElzdz09

Meeting ID: 856 6587 9998 Password: WS.BOA

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

Meeting ID: 856 6587 9998 Password: 225258

PAGE 1 OF 2

This notice was posted at 5401 Independence Road on 44-22 at 315pm by Williams

****WORK SESSION AGENGA****

- 1. CALL TO ORDER
- 2. BUSINESS FOR DISCUSSION
 - A. Court Operations & Staffing Discussion
 - B. American Rescue Plan Act Funding
- 3. ADJOURNMENT

*** No votes are to be taken at a Work Session.

PAGE 2 OF 2

This notice was posted at 5401 Independence Road on 3-4-2 at 3 15pm



CITY OF WELDON SPRING BOARD OF ALDERMEN REGULAR MEETING ON TUESDAY, FEBRUARY 8, 2022, AT 7:30 P.M. WELDON SPRING CITY HALL 5401 INDEPENDENCE ROAD WELDON SPRING, MISSOURI 63304

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PAGE 1 OF 2

This notice was posted at 5401 Independence Road on 34-12 at 375 pt by



CITY OF WELDON SPRING **BOARD OF ALDERMEN REGULAR MEETING** ON TUESDAY, FEBRUARY 8, 20212, AT 7:30 P.M. WELDON SPRING CITY HALL 5401 INDEPENDENCE ROAD **WELDON SPRING, MISSOURI 63304**

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PAGE 1 OF 2

This notice was posted at 5401 Independence Road on 24-22 at 375 pm

ORDINANCE NO.

WHEREAS, Missouri Revised Statutes Section 70.220 through 70.325 empower cities and other political subdivisions to contract and cooperate with each other for a common service; and

WHEREAS, the effective control of animals within the City is essential to the protection of the public's health and safety; and

WHEREAS, City officials are charged to protect the interest of the Community regarding public safety and enforcement of the Animal Regulations; and

WHEREAS, the Board of Aldermen of the City of Weldon Spring finds that it will promote the general welfare of the City to continue by entering into an new agreement to provide kennel services and enforcement of St. Charles County's Animal Control Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI IN ACCORDANCE WITH THE REVISED STATUTES OF MISSOURI AS FOLLOWS:

SECTION 1: That the form, terms, and provisions of the Agreement to Provide Kennel Services and Enforcement of St. Charles County's Animal Control Ordinance (the "Agreement") attached hereto, marked as "*Exhibit A*" and incorporated by reference herein, be and they hereby are approved and the City Administrator is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Agreement in substantially the form attached hereto. The City Clerk is hereby authorized and directed to attest to the Agreement and other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of the Agreement and this Ordinance.

SECTION 2: The vote of the aforesaid being deemed an emergency by the Board of Alderman, the Board does hereby waive and dispense with the tabling procedure set forth in City Code, Section 110.070 (A)(3) and does hereby authorize the reading of the above bill twice at the meeting, and a vote there to immediately following said reading.

its final passage and approva		
READ TWO TIMES AND PASSED I WELDON SPRING, MISSOURI, TH		
	Donald D. Licklider	, Mayor
Attest:		
William C. Hanks, City Clerk		

SECTION 3: This Ordinance shall be in full force and take effect from and after

To approve			
Motioned: _ Seconded: _			
	Aye	Nay	Abstention
Baker			
Clutter			
Kolb			23
Martiszus			
Schwaab	-		
Yeager			
Licklider			
DICKINGO	-		
Ahgent:			

AGREEMENT TO PROVIDE KENNEL SERVICES AND ENFORCEMENT OF ST. CHARLES COUNTY'S ANIMAL CONTROL ORDINANCE

This Agreement to Provide Kennel Services and Enforcement of St. Charles County's Animal Control Ordinance ("Agreement"), entered into as of the date of signature by the undersigned, by and between ST. CHARLES COUNTY, MISSOURI (hereinafter "COUNTY") and the CITY OF WELDON SPRING, MISSOURI, a municipal corporation (hereinafter "MUNICIPALITY"), is subject to the following terms and conditions:

ARTICLE I - GENERAL SERVICES

- A. In consideration of the MUNICIPALITY'S covenants hereinafter expressed, the COUNTY agrees:
 - 1. To provide kennel services which shall consist of canine and feline boarding services, and may consist of boarding services for other species, provided that any boarding services for such other species shall be subject to the sole discretion and approval of the Director of COUNTY'S Division of Humane Services on a case-by-case basis; and
 - 2. To enforce its Animal Control Ordinance as adopted by MUNICIPALITY, subject to the provisions of this Agreement.

B. The MUNICIPALITY agrees:

- 1. To adopt the COUNTY'S Animal Control Ordinance, as provided in Article II of this Agreement.
- 2. To adopt the COUNTY'S fees for services set forth in the Ordinances of St. Charles County ("OSCCMo") § 205.240, for the purpose of collection by the County from citizens of MUNICIPALITY using those certain services performed pursuant to the Animal Control Ordinance, as provided in Article II of this Agreement.
- 3. The COUNTY shall collect and retain one hundred percent (100%) of all fees duly adopted by MUNICIPALITY on behalf of COUNTY pursuant to Article II, including but not limited to kennel boarding fees, adoption fees, disposal fees, drop-off fees, euthanasia fees, spay/neuter fees, surrender fees, quarantine/difficult animal boarding fees, and microchip fees.
- 4. The Director of COUNTY's Division of Humane Services shall have sole discretion in any and all decisions related to care and/or disposition of all animals kenneled or boarded pursuant to this Agreement.
- 5. The MUNICIPALITY shall retain one hundred (100%) percent of all fees or fines it may duly adopt or impose in addition to the COUNTY fee schedule adopted by MUNICIPALITY pursuant to Article II for kennel or animal boarding related services. COUNTY shall NOT be responsible for the collection of any such fees or fines in excesses of the COUNTY'S fees for services performed under the Animal Control Ordinance.
- 6. The MUNICIPALITY shall pay COUNTY for services provided pursuant to this Agreement, at the annual rate set forth in Exhibit A, attached hereto and

- incorporated herein by reference. The MUNICIPALITY shall remit payment no later than January $10^{\rm th}$ of each contract year.
- 7. The MUNICIPALITY shall be allowed access to the COUNTY'S Pet Adoption Center ("Facility"), located at 4850 Mid Rivers Mall Drive, St. Peters, MO 63376, once per quarter, for the purpose of completing a walk through and inspection of the Facility. This walk through and inspection shall be scheduled at a time mutually agreed upon by the COUNTY and the MUNICIPALITY.
- 8. The COUNTY shall record and report to the MUNICIPALITY on a monthly basis, the date the animal arrived at the Facility, the animal's species, the animal's sex, the animal's breed (if known), a brief description of the animal's color, the animal's microchip number (if applicable), the MUNICIPALITY'S case number, and the date and disposition of the animal for all animals housed by the COUNTY pursuant to this agreement. This report may also include: Total number of canines, felines, and other species taken into custody on behalf of the MUNICIPALITY during the reporting month; Total number of canines, felines, and other species euthanized on behalf of the MUNICIPALITY during the reporting month; Total number of canines, felines, and other species held in COUNTY custody on behalf of the MUNICIPALITY adopted during the reporting month; Total number of canines, felines, and other species held in COUNTY custody on behalf of the MUNICIPALITY released to foster care during the reporting month; Total number of canines, felines, and other species held in COUNTY custody on behalf of the MUNICIPALITY released to animal rescue organizations during the reporting month; and Total number of canines, felines, and other species held in the custody of the COUNTY, at the Facility, on behalf of the MUNICIPALITY at the time of the report. This report shall be provided to the MUNICPALITY on or before the tenth day of the following month and may be transmitted electronically.

ARTICLE II – PARTICULAR TERMS AND CONDITIONS

A. The MUNICIPALITY shall adopt:

- 1. COUNTY'S Animal Regulations, (Chapter 205, Ordinances of St. Charles County, Missouri,), except that Article IV, Section 205.170, Subsection A, OSCCMo, so amended and adopted as follows: "Zoning Compliance. The applicant for an original kennel registration shall present to the Director a written statement from the MUNICIPALITY'S zoning officer that the establishment of a kennel at the proposed site is not in violation of the MUNICIPALITY'S zoning regulations or is permissible either as a legal non-conforming use or under conditional use permit."
- 2. COUNTY'S animal regulations authorizing the COUNTY'S Department of Public Health to collect fees for services under Article VI, Section 205.240, OSCCMo.;
- 3. Appropriate penalties as allowed by law;
- 4. Authorization for enforcement of such regulations through the County Municipal Court;
- 5. A Feral Cat Program pursuant to Section 205,225 OSCCMo. Such a program shall be substantially in the form of the "Outline for Feral Cat Program" (attached hereto as Exhibit B);

- 6. Any amendments to Chapter 205, Animal Regulations, OSCCMo, that the COUNTY may enact in the future, subject to the Constitution and laws of the State of Missouri; and
- 7. Any amendments to the COUNTY'S regulations authorizing fees for services under Article VI, Section 205.240, OSCCMo, that the COUNTY may enact in the future, subject to the Constitution and laws of the State of Missouri.
- B. The St. Charles County Counselor's Office and the St. Charles County Division of Humane Services shall be responsible for all enforcement services performed pursuant to this Agreement.
- C. The MUNICIPALITY shall certify two (2) copies of its act adopting Chapter 205, Animal Regulations, OSCCMo, and any amendments to those regulations, and deliver one (1) such certified copy each to:
 - 1. The St. Charles County Registrar; and
 - 2. The COUNTY'S Department of Public Health.
- D. The MUNICPALITY may amend any provision of the COUNTY'S Animal Regulations SECTIONS I through SECTION IV, provided:
 - 1. The COUNTY consents in writing, signed and executed by the County Executive, to such amendment prior to its adoption by the MUNICIPALITY; and
 - 2. The MUNICIPALITY provides the COUNTY with a certified copy of any such amendment within thirty (30) days of its adoption by the MUNICPALITY.

ARTICLE III – LIMITATIONS

- A. The contract hereby given is not assignable and is to be exercised solely by the COUNTY and the MUNICIPALITY as provided herein.
- B. The MUNICIPALITY shall comply with all applicable laws, ordinances, rules, regulations and requirements now in force or enacted in the future.
- C. Nothing herein shall require the COUNTY to file any legal action in the enforcement of the regulations described herein.

<u>ARTICLE IV – INDEMNIFICATION</u>

A. To the extent permitted by law, the MUNICIPALITY shall indemnify, protect and hold harmless the COUNTY from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit, or judgment for damages to property or injury to or death of persons, including the officers, agents and employees of either party herein, and including payment under any workmen's compensation law, or under any plan for employee's disability or death benefit, which may arise out of or be caused in whole or in part by the fault, failure, or negligence of the MUNICIPALITY, its agents, servants or employees in performing its obligations under this contract.

B. To the extent permitted by law, the COUNTY shall indemnify, protect and hold harmless the MUNICIPALITY from and against the loss, cost, claims, demands, damage and/or expense arising out of any demand, claim, suit or judgment for damages to property or injury to or death of person, including the officers, agents and employees of either party herein, and including payment under any worker's compensation law, or under any plan for employee's disability or death benefit, which may arise out of or be caused in whole or in part by the fault, failure, or negligence of the COUNTY, its agents, servants or employees in performing its obligations under this contract.

<u>ARTICLE V – TERM, RENEWAL, AND TERMINATION</u>

- A. The initial term of this Agreement shall commence on January 1, 2022, and shall terminate on December 31, 2022.
- B. This Agreement shall automatically be renewed for additional one (1) year terms, beginning on January 1st of each year and December 31st of each year, for a period of 5 years, unless either party gives written notice of the party's intent not to renew this Agreement on or before December 1st of each year. Notice to the other party shall be provided at the address shown on the signature page.
- C. This Agreement may be terminated by either party hereto at any time by giving forty-five (45) days prior written notice to the other party at the address shown on the signature page.

MUNICPALITY:	COUNTY:
CITY OF WELDON SPRING, MISSOURI	ST CHARLES COUNTY, MISSOURI 100 North Third Street, Suite 216 St Charles, Missouri 63301
By: Its:	By: Steve Ehlmann Its: County Executive
Date	Date
ATTEST:	ATTEST:
City Clerk	County Registrar

Exhibit A

Total Costs for Housing and Animal Cepture Including Wentzyille and O'fation - REVENUE NEUTRAL

TOTAL Humane Operation Expenses

\$ 1,626,544

re natilate obeignou exhenses		110001011	
	Kennel Operations	Jurisdiction Co Animal Capture	ost Total Costs
Augusta	•	170.72	170.72
Cottleville	•	4,149.96	4,149.96
Dardenne Prairie	:=::	15,512.06	15,612.06
Flint Hill	÷	354.28	354.26
Foristell	w ·	340.77	340.77
Josephville	P	253.72	253.72
Lake St Louis	*	19,629.63	19,629.63
New Melle	-	373.95	373.95
Portage Des Sloux	RP-	221.33	221.33
St Paul	*	1,234.19	1,234,19
St Peters	-	720	•
Weldon Spring	,	Y,345.76	7,345.76
Weldon Spring Heights	g _{te}	61.41	61.41
West Alton	15	352.24	352.24
O'fation	-	≠'	
Wentzville	# *	(*)	*
Unincorporated	962,689.00	613,655.00	1,576,544.00
	962,689.00	663,855.00	1,626,544.00

Allocates current charge to St Peters across all Jurisdictions

Exhibit B

OUTLINE FOR FERAL CAT PROGRAM

PURPOSE:

The purpose of this program is to decrease the number of unwanted kittens being born. For six months out of the year, the shelter is severely overburdened with a high volume of kittens. A large percentage of these kittens are feral and community cats. The shelter has limited space and resources to house and care for all these cats. By reducing the number of unwanted kittens being born, the number of cats and kittens entering the shelter should likewise decrease. This will decrease euthanasia and allow for a more efficient use of valuable resources.

FERAL CAT PROGRAM:

A Feral Cat Program consists of all of the following:

- Education All Animal Control Officers and other city staff responsible for assisting the public with animal related concerns must be able to educate the public about feral cats and the programs available. Staff will need to distribute Feral Cat educational handouts, TNR information, and make referrals. These educational materials are available on the internet at no cost to municipalities. The St. Charles County Division of Humane Services will offer training to Animal Control Officers or any other municipal staff.
- Animal Control Support Animal Control Officers must contact individuals in the field after receiving a complaint of or becoming aware of a multiple-cat problem area. Animal Control Officers must determine if there is a caregiver or a food source. If a caregiver is located, that caregiver must be educated as to the issues of feral cat overpopulation and provided with solutions to aid in reducing the feral cat population, such as assistance with Trap, Neuter, and Return ("TNR") or clinic referrals. Animal Control Officers should strive to educate individuals who provide care to feral cats as to the issue overpopulation without criminalizing such behavior.
- Affordable or Free Spay/Neuter Services Implement a regular, free or low cost spay/neuter, vaccination, and ear tip program in your community. A few ways to implement such a program are set out below:
 - Work with local veterinarians to develop a program in your community where feral cats can be taken to a clinic, spayed/neutered, vaccinated for rabies, and ear tipped at one low-cost.
 - o Implement a monthly clinic at a local veterinarian, city, or county facility, subsidized by the municipality, where feral cats will be spayed/neutered, vaccinated for rabies, and ear tipped at one low cost.
 - o Partner with St. Charles County to utilize the Operation Sterile Feral Clinic (OSF) and offer subsidies to municipal residents.
- Trap, Neuter, & Return or TNR Implement a program whereby free-roaming, un-owned cats are humanely trapped, spayed/neutered, vaccinated for rabies, and ear tipped for identification purposes then returned to the locations where they were found. If those locations are deemed unsafe or otherwise inappropriate, feral cats should be relocated to barn homes if possible. Kittens young enough to be socialized and friendly adult cats are typically placed in adoption programs rather than returned to the outdoors. Cats found suffering with terminal or untreatable illness are euthanized.

CITY OF WELDON SPRING 2 /8/22-BOA Meeting (Changes in Red) CITY CLERK'S LEGISLATIVE REPORT

The 102nd Missouri General Assembly begun their legislation session on January 5, 2022, but the Pre-filing of legislation began on December 1, 2021. Here are some of the legislative issues that the City of Weldon Spring may be interested in monitoring this session:

Personal Property Tax

- SB 649 (Sponsor: Eigel) This Bill will start phasing out personal property tax. Before the public hearing, Senator Eigel added a Senate substitute to Bill, which only includes St Charles County. This Bill is placed on the Formal Calendar for perfection.
 - Medium 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 and pause any nominal inflationary increase to revenue allowed by statute for the duration of the phase out period roughly until 2026. This would be roughly a 5% 7% annual reduction to the Road & Bridge Maintenance Fund 23. This is one of the top priorities for the St. Charles County Municipal League, which opposes the bill.
- SB 911 (Sponsor: Eigel) For the 2022 and 2023 calendar years, this act requires each political subdivision to reduce its property tax levy such that the amount of tax revenue generated by such tax levy that is substantially equal to the total amount of funds received by such political subdivision pursuant to the American Rescue Plan Act of 2021 during such calendar years. This Bill was read for the first time on 1/5/22.
 - ➤ Potential Impact to WS The State would be placing a financial burden on public subdivisions for receiving already approved funds from the federal government. Exact impact to WS unknown, though could impact the Road & Bridge Fund 23 which is a county property tax the City receives a portion of annually.

Gas Tax

- HB 1594 (Sponsor: Walsh), SB 782 (Sponsor: Moon), & SB 811 (Sponsor: Eigel):
 Repealing the gas tax increase. The two Senate Bills were referred to Senate Committee on
 Transportation, Infrastructure, & Public Safety. A hearing for HB 1594 has been scheduled
 before the House Special Committee on Government Oversight on 1/8/22.
 - ➤ Moderate Impact to WS Any repeal of the motor fuel tax, which was passed during the 2021 legislative session, would result in decrease revenue for the State and city/county gov'ts because municipalities receive approximately 15% of the state motor fuel tax based upon their proportional population.

Sales Tax

- HB 1817 (Sponsor: Gray) This Bill exempts retail sale of food from local sales tax. This Bill was read for the second time on 1/6/22.
 - ➤ Low to Moderate Impact to WS This may impact food sales at retailers such as Walgreens, QT and Circle K. This is difficult to extrapolate the amount of food sales from these retailers, however, these retailers are some of the proportionately larger retail sales tax generators in WS, likely impact if passed would be the loss of thousands of sales tax dollars to the Parks & Facilities Fund 20.

Elections

- HB 1611 (Sponsor: Sassman) The Bill requires candidates for political subdivision or special district offices that are currently designated as nonpartisan to file an indication of their political party membership, if any, when running for office. Independents may continue to run for such local offices in the same manner. The hearing was completed for this Bill; however, no further action on this Bill as of 2/4/22.
- SB 1049 (Sponsor: Brattin) The Bill requires all candidates for offices in cities, towns, villages, and townships to declare a political party affiliation when filing for office. This is the Senate version of HB 1611. This Bill was read for the first time on 1/12/22.
 - Medium Impact to WS HB 1611 & SB 1049 will introduce a partisan politics into the local municipal government level of decision/policy making process. This could create more animosity between local elected officials and introduce state and federal partisan issues into local government, which typically does not have jurisdiction or oversight over such matters. These bills are one of the top priorities for the St. Charles County Municipal League, which opposes these bills.

Note: While moving the municipal elections to November wasn't in any prefiled legislation yet, there is a strong possibility that it might be added as an amendment to one of the many bills focusing on election reforms. Several election focus Bills are scheduled to be heard by the House Elections & Elected Officials Committee on 2/9/22.

Sunshine Law & Records

• HB 1500 (Sponsor: Ellebracht) – This Bill amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances. The bill expands the requirements for preservation of communications through electronic means, including social media accounts, and requires the public entity to produce such records in usable electronic format. This Bill was read for the second time on 1/6/22.

- ➤ Unknown Impact... A potential unfunded mandate which subjects the personal social media platforms of elected officials to sunshine requests and other public inquiries and records retention requirements.
- **HB 2049 (Sponsor: DeGroot)** This Bill clarifies definitions of public meetings and public records and closes email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications limited to newsletter. This bill was read for the second time on 1/6/22.
 - MML Supports this Initiative

Economic Development

- SB 735 (Sponsor: Koenig) This Bill requires NIDs, CIDs and TDDs to be terminated upon completion of improvements and satisfaction of debt. Also, limits total combined sales taxes of CIDs and TDDs to 3.25% and exempts food. This Bill was voted do pass with a 5-2 vote by the Senate Committee on Ways & Means on 1/27/22.
 - ➤ Unknown Impact... A potentially unfunded mandate potentially negatively impacting economic development incentive tools available to city governments.
- SB 908 (Sponsor: Koenig) This Bill requires the governing body of a city or county establishing a NID, CID, TDD or TIF to submit to the State Auditor and the Department of Revenue a description of the boundaries of the district, as well as information on assessments made in the district, as described in the act. This Bill was read for the first time on 1/5/22.
 - > Unknown Impact... This legislation is worth monitoring because we have a CID within the City limits.

Miscellaneous

- HB 1494 (Sponsor: Ellebracht) When a municipality uses the associate circuit court as its municipal court, this bill requires all revenue from fines for violation of municipal ordinances will be distributed to local schools. This bill was read for the second time on 1/6/22.
 - ➤ Potential Impact to WS With Weldon Spring reviewing the future operational configuration of its municipal court, this legislation is worth monitoring as it will likely gain traction this year.
- HB 1615 (Sponsor: Lavasco) The bill allows members of the general assembly to serve as ex-officio members of boards, commissions, councils or legislative bodies within their district. This Bill was read for the second time on 1/6/22.

- Negative Impact This is clearly an overreach by the state legislature for government oversight and inclusion on/in the local decision-making process. It is unclear how members of the legislature would physically be able to attend municipal government meetings when some members would have numerous and overlapping obligations, i.e. library, community college, city, county, fire, ambulance and other special district municipal government meetings. Weldon Spring has three state representatives and one state senator, so if all wanted to participate that would be an additional four ex-official board members on a six-member board.
- HB 1691 (Sponsor: Boggs) This Bill prohibits the state and any political subdivisions from contracting with employers or companies that engage in discrimination against unvaccinated persons. The hearing was completed on 1/25/22 for this Bill; however, no further action on this Bill as of 2/4/22.
 - ➤ Negative Impact This will be an unfunded mandate in the procurement process. This potentially makes the procurement process more political and could result in municipalities not being able to accept the lowest responsible bidder in a competitive bid process.
- ✓ Municipal League of Metro St. Louis Legislative Report:

https://www.stlmuni.org/the-league/legislative-updates/

✓ Missouri Municipal League Bills of Interest for Municipal Officials:

https://govwatch.net/report/12651

✓ 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