

BOARD OF ALDERMEN
REGULAR MEETING
MONDAY, MAY 4, 2020
(JOURNAL AND MINUTES)

The Board of Aldermen for the City of Lake Saint Louis, Missouri met in a regular session via teleconference on Monday, May 4, 2020 at 7:00 p.m. in the Board Room at City Hall, 200 Civic Center Drive, Lake Saint Louis, Missouri.

ROLL CALL:

Mayor Kathy Schweikert was present and presided over the meeting. Aldermen present were: Mike Potter, Ward II; Jason Law, Ward III; Gary Torlina, Ward I; Gary Turner, Ward I; John Pellerito, Ward III; and Karen Vennard, Ward II. Also present were: Paul Markworth, City Administrator; Donna Daniel, City Clerk; Matthew Reh, City Attorney; Louis Clayton, Community Development Director; George Ertle, Assistant City Administrator; Chris DiGiuseppi, Police Chief; Derek Koestel, Public Works Director; Renee Camp, Finance Director, and Adam Cole, IT Administrator.

INVOCATION: Pastor Ken McDonald, Lake Saint Louis Chaplain, offered the invocation.

ANNOUNCEMENTS:

COMMITTEE REPORTS:

Alderman Vennard gave a report on the St. Charles County Municipal League meeting.

PUBLIC HEARINGS:

CALENDAR:

Paul Markworth, City Administrator, identified dates of interest on the City calendar including:

- Next Regular Board of Aldermen Work Session – May 18, 2020
- Next Regular Board of Aldermen Meeting – May 18, 2020

MINUTES: April 20, 2020 Regular Meeting

MOTION TO APPROVE THE MINUTES FROM THE APRIL 20, 2020 REGULAR BOA MEETING.

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Alderman Turner made a motion to waive the reading of the minutes from the April 20, 2020 Regular BOA Meeting and approve same as submitted. The motion was seconded by Alderman Potter and passed unanimously.

THE MINUTES FROM THE APRIL 20, 2020 REGULAR BOA MEETING STAND APPROVED AS SUBMITTED.

CONSENT AGENDA:

MOTION TO APPROVE THE CONSENT AGENDA:

Alderman Turner made a motion to approve the Consent Agenda. The motion was seconded by Alderman Vennard and passed unanimously. The following items were approved:

Warrant dated May 4, 2020 in the amount of \$496,889.25
Budget Adjustments dated May 4, 2020

APPOINTMENTS:

PUBLIC COMMENT:

Mayor Schweikert read an email, attached hereto, from a representative of the Green Tree Meadows subdivision requesting permission to place a security camera/license plate reader in the City's right-of-way. The Board held a brief discussion about the written request. The Board asked staff to research the issues both pros and cons of permitting cameras in the City's right-of way.

TABLED:

Bill No. 4319 – An ordinance approving a Pre-Annexation Agreement to annex certain territory as a voluntary annexation, in accordance with section 71.014 of the RSMo, as amended, of property owned by Purpose Investments LLC (the fee owner).

MOTION TO REMOVE FROM THE TABLE:

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Alderman Turner made a motion to remove Bill No. 4319 from the table. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4319 was removed from the table.

MOTION TO REMOVE FROM THE AGENDA:

Alderman Turner made a motion to remove Bill No. 4319 from the agenda. The motion was seconded by Alderman Law and passed unanimously. Bill No. 4319 was removed from the agenda.

OLD BUSINESS:

NEW BUSINESS:

Bill No. 4320 – An ordinance to authorize the Mayor and/or City Administrator to exercise the third-year renewal option with Mid Rivers Asphalt, Inc., for services related to the Annual Asphalt Overlay Program for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Law made a motion to authorize the first reading of Bill No. 4320. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 4320 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 4320. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 4320 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4320 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4108.

Alderman Law made a motion to approve the second reading of Bill No. 4320 and pass same by assigning Ordinance No. 4108. The motion was seconded by Alderman Turner; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Bill No. 4321 – An ordinance approving a Pre-Annexation Agreement to annex certain territory as a voluntary annexation, in accordance with section 71.014 of the RSMo, as amended, of property owned by Purpose Investments LLC (the fee owner).

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 4321. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4321 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 4321. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4321 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4321 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4109.

Alderman Turner made a motion to approve the second reading of Bill No. 4321 and pass same by assigning Ordinance No. 4109. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 4322 – An ordinance to adopt a budget revision for the City of Lake Saint Louis' budgets for the fiscal year beginning July 1, 2019 and ending June 30, 2020.

FIRST READING:

Alderman Vennard made a motion to authorize the first reading of Bill No. 4322. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4322 was read.

SECOND READING:

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Alderman Vennard made a motion to authorize the second reading of Bill No. 4322. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4322 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4322 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4110.

Alderman Vennard made a motion to approve the second reading of Bill No. 4322 and pass same by assigning Ordinance No. 4110. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Bill No. 4323 – An ordinance authorizing the Mayor and/or City Administrator to sign all necessary documents providing employee vision insurance.

FIRST READING:

Alderman Pellerito made a motion to authorize the first reading of Bill No. 4323. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 4323 was read.

SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 4323. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4323 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4323 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4111.

Alderman Pellerito made a motion to approve the second reading of Bill No. 4323 and pass same by assigning Ordinance No. 4111. The motion was seconded by Alderman Vennard; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Resolution No. 05-04-20 (1) – A resolution authorizing City officials to approve a records retention modernization on behalf of the City of Lake Saint Louis, Missouri.

Mayor Schweikert read Resolution No. 05-04-20 (1).

MOTION TO APPROVE RESOLUTION NO. 05-04-20 (1):

Alderman Turner made a motion to approve Resolution No. 05-04-20 (1). The motion was seconded by Alderman Torlina; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

Resolution No. 05-04-20 (2) – A resolution authorizing the Chief of Police and Director of Community Development discretion pertaining to sign ordinances and further authorizes the City Clerk to suspend late fees for liquor license renewals.

Mayor Schweikert read Resolution No. 05-04-20 (2).

MOTION TO APPROVE RESOLUTION NO. 05-04-20 (2):

Alderman Turner made a motion to approve Resolution No. 05-04-20 (2). The motion was seconded by Alderman Torlina; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

BOARD COMMENTS:

Alderman Torlina said he has received complaints about the tall grass at the Dollar General store. Paul Markworth, City Administrator, said a violation notice has been issued.

Alderman Vennard said she was glad the Board is cautious with its use of reserve funds which are necessary for an emergency or disaster like we find ourselves in today. Alderman Vennard commented on the dangerous and illegal use of golf carts. Chris DiGiuseppi, Police Chief, said if the golf cart is NHTSA compliant and it

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

is operated by a licensed driver, golf carts can operate on City roads that have a speed limit up to 35 mph.

Alderman Pellerito agreed with Alderman Vennard. He is aware of a home with three children that also has three golf carts. This family is often utilizing the golf carts as their vehicular transportation to and from City shopping areas with unrestrained children aboard. Alderman Pellerito recommends that if we observe this type of activity it should be reported to the Police Department.

Mayor Schweikert said the next Board meeting will most likely be a virtual meeting. She noted we are developing a plan to slowly re-open the City offices to the public. Mayor Schweikert commented on the articles she has placed in "*Newstime*" to provide information and/or answer questions.

STAFF:

Derek Koestel, Public Works Director, informed the Board that East West Gateway will be accepting grant applications for their Transportation Alternatives Program (TAP). He asked the Board if they want staff to prepare an application for a sidewalk in the "uptown neighborhood". Mr. Koestel noted he will need letters of support from the community and/or businesses in that district. The Board of Aldermen unanimously agreed that staff should move forward with the process to submit a grant application for TAP funds.

Mr. Koestel informed the Board that the round-a-about landscaping review with MoDOT is not going well. The walls and art work in the "crash zone" will not be approved. He said he will prepare a proposal with new options for the Board to review.

EXECUTIVE SESSION: Real Estate RSMO 610.021.2 exemption.

MOTION TO RECESS REGULAR SESSION AND CONVENE EXECUTIVE SESSION:

Alderman Vennard made a motion to recess Regular Session to convene an Executive Session, pursuant to the real estate 610.021.2 exemption in the RSMo 610.021. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

CITY OF LAKE SAINT LOUIS
BOARD OF ALDERMEN
REGULAR MEETING
MAY 4, 2020

(JOURNAL AND MINUTES)

Regular Session recessed, Executive Session convened at approximately 8:07 p.m.

Having no further real estate matters to come before the Board in Executive Session, Alderman Vennard made a motion to adjourn Executive Session and reconvene Regular Session. The motion was seconded by Alderman Turner, the poll of the Board being ayes: Pellerito, Potter, Vennard, Law, Turner and Torlina. Nays, none. The motion passed.

RECONVENE:

The regular meeting reconvened at approximately 8:12 p.m.

GENERAL DISCUSSION:

The Board held a general discussion about responding to request for information and/or City records.

ADJOURNMENT:

There being no further business to come before the Board in regular session, the meeting was, on motion duly made, seconded and unanimously voted on, adjourned.

Donna F. Daniel, City Clerk

From: [Ricky Todd](#)
To: [Derek Koestel](#); [Chris DiGiuseppi](#); [Richard Lee](#);
Cc: [Donna Daniel](#)
Subject: Re: Green Tree Meadows Security cameras
Date: Monday, April 27, 2020 11:10:06 AM

Below and attached is a written statement for the meeting. Also, Derek, do you need anymore info? You have the other email that had info from Flock attached. Let me know if you need anything else. Thanks



In case the link doesn't work, here is the letter below:

To Whom it may concern,

Green Tree Meadows subdivision would like to place two Flock security cameras in our subdivision. One camera would be placed in Phase 1 on Green Tree Meadows Drive in our subdivision common ground. The other would be placed in Phase 2 at the entrance of our subdivision on Eaglewood Trail Drive. We already have permission from the homeowner on Eaglewood Trail to place the camera on their property. Our subdivision, like many others, have had an increase in criminal activity. We feel the subdivision security cameras would provide an added layer of security that could be used by the LSL Police Department to help identify, track, and catch the criminals. Several residents have video doorbells, but often they fail to fully identify criminals. The Flock cameras will take a photo of the license plate which gives additional information to the LSL Police. We understand that these would be placed on the right-of-way. We are asking you to help us in securing our community by allowing us to increase our security measures. If you have any questions for the trustees, please feel free to contact [rickytodd02@gmail.com](mailto:rickyodd02@gmail.com) or 636-698-4071.

Thank you,

Green Tree Meadows Trustees
Ricky Todd
Richard Lee
Gabe Domahowski

On Fri, Apr 24, 2020 at 10:50 AM Derek Koestel <dkoestel@lakesaintlouis.com> wrote:

I looks like our work session is going to be full with budget discussions. So, I have emailed this information to the board to review prior to the meeting. You may also provide Donna Daniel (email cc'ed) with a written statement to be ready at the meeting.

At the end of the business meeting I will ask for input from the board during our staff comment

period. I will let you know ahead of time that I can't recommend this. I'm not strongly negative, but I don't see a compelling public benefit to justify the challenges it presents. I have concerns with the use of public right-of-way by a commercial entity and the presentence it sets for allowing others access to the right-of-way. If the system did interface with the police database, my opinion might change. That said, this is really the Board's decision, so we will see what they say.

Thanks,

Derek B. Koestel, P.E.

Director of Public Works

City of Lake Saint Louis, Missouri

307 Parkway Industrial Drive

Ph: (636) 695-4221

Fx: (636) 695-4227

From: [rickytodd02@gmail.com](mailto:rickyodd02@gmail.com) <[rickytodd02@gmail.com](mailto:rickyodd02@gmail.com)>

Sent: Thursday, April 23, 2020 9:44 PM

To: Derek Koestel <dkoestel@lakesaintlouis.com>

Subject: Re: Green Tree Meadows Security cameras

Just wanted to check to see if I needed to do anything for the May 4 board meeting. Thanks.

Ricky Todd

On Apr 9, 2020, at 10:39 PM, Derek Koestel <dkoestel@lakesaintlouis.com> wrote:

If the camera is within 12 feet of the curb it will be on right of way not private property. If it is on private property you won't need city approval.

You are starting to get to the heart of why this is a big deal. If we make it ok for companies to access our right of way then someone can come stick a camera, or cellphone antenna, etc in your front yard. You might not like that but if we let the camera company do it we might have to let others do it.

Right of way is there for street signs, fire hydrants, light poles, ... basically utilities and the street. Other commercial purposes get complicated because not everyone agrees a company should be able to make a profit off of public property and people like to control how their front yard looks.

Thanks

Derek Koestel P.E.

Director of Public Works

City of Lake Saint Louis

On Apr 9, 2020, at 7:50 PM, Ricky Todd
<ricktodd02@gmail.com> wrote:

Thanks. Also, these cameras are going on peoples personal property, I have their verbal permission, should I get that in writing? What if they move and the next homeowner doesn't want it on their property?

It'll be on 602 Green Tree Meadows and 202 Fairwood Place

Thanks

On Thu, Apr 9, 2020 at 9:09 AM Derek Koestel
<dkoestel@lakesaintlouis.com> wrote:

You may attend the meeting. I'm not sure how that process works yet since we haven't done one of these virtual Board Meetings yet. From my understanding we will have a process for the public to participate, and I will forward the information when I get it. You can also check the website
<https://www.lakesaintlouis.com/AgendaCenter/Board-of-Alderman-2>.

It is up to you. I think this is pretty clear, so if it doesn't work for you don't sweat it.

Thanks,

Derek B. Koestel, P.E.

Director of Public Works

City of Lake Saint Louis, Missouri

307 Parkway Industrial Drive

Ph: (636) 695-4221

Fx: (636) 695-4227

From: ricky todd02@gmail.com <ricky todd02@gmail.com>

Sent: Thursday, April 9, 2020 8:51 AM

To: Derek Koestel <dkoestel@lakesaintlouis.com>

Subject: Re: Green Tree Meadows Security cameras

Ok. Thanks you. Let me know if I need to do anything before May 4.

Would I be attending this meeting? Either virtual or in person depending on the circumstances? Or does the board just review it and make a decision?

Ricky Todd

On Apr 9, 2020, at 8:45 AM, Derek Koestel <dkoestel@lakesaintlouis.com> wrote:

Yes, I did get the email. Thanks for sending that over.

Our code is set up to make it difficult to install things other than a utility or a road in the right-of-way. It is

possible, but the process isn't fast or easy. There are good reasons for this, both for safety and aesthetics.

Based on the information that you sent me, this item would be installed and operated by Flock, so that is a commercial use of the right of way by a non-utility. I know you just want to put up a camera, but from a policy perspective, this is a fairly big deal.

I have submitted your information. The earliest it can make an agenda is May 4. With the restrictions on meetings things are taking longer these days. I regret the delay, and will let you know as soon as I can what the next steps will be if the BOA is amenable to this.

Derek B. Koestel, P.E.

Director of Public Works

City of Lake Saint Louis, Missouri

307 Parkway Industrial Drive

Ph: (636) 695-4221

Fx: (636) 695-4227

From: rickyodd02@gmail.com

<rickyodd02@gmail.com>

Sent: Wednesday, April 8, 2020 4:35 PM

To: Derek Koestel <dkoestel@lakesaintlouis.com>

Subject: Re: Green Tree Meadows Security cameras

Hi Derek.

Just wanted to check that you received my other email with info from Flock security. Do we still need to be approved at a Board meeting? Or is there

another way to do it? Thanks.

Ricky Todd

On Apr 3, 2020, at 8:09 PM, Ricky Todd
<ricktodd02@gmail.com> wrote:

Hi Derek,

Attached are 2 documents regarding the Flock security system I was discussing with you on the phone. Also, here is the company's website. <https://www.flocksafety.com/>

We would really like to get these installed asap, so let me know if there is anything else you need from me. Thank You.

--

-Ricky Todd

<Flock Safety City Permitting Resource Guide (1)-2.pdf>

<Flock Safety Homeowner Talking Points.pdf>

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-Ricky Todd

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-Ricky Todd

Total Control Panel

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To: ddaniel@lakesaintlouis.com [Remove](#) this sender from my allow list

