

BOARD OF ALDERMEN
REGULAR MEETING
MONDAY, MARCH 16, 2020
(JOURNAL AND MINUTES)

The Board of Aldermen for the City of Lake Saint Louis, Missouri met in regular session on Monday, March 16, 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; and John Pellerito, Ward III. Alderman Karen Vennard, Ward II, was absent. Alderman Mike Potter attended via teleconference. 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; and Derek Koestel, Public Works Director.

INVOCATION:

ANNOUNCEMENTS:

COMMITTEE REPORTS:

Administrative/Finance/Public Works Committee – Alderman Turner gave a report on the March 16, 2020 meeting.

Mayor Schweikert noted several meetings have been postponed, including:

- St. Charles County Elected Officials meeting with State Legislators
- St. Charles County Municipal League meeting
- St. Charles County Mayors meeting to discuss the Mayor's Charity Ball

PUBLIC HEARINGS:

CALENDAR:

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

- Park Board meeting is cancelled – March 17, 2020
- Tree Board meeting is cancelled – March 17, 2020
- Board of Adjustment – March 19, 2020
- Board of Aldermen Work Session April 6, 2020 meeting is cancelled

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- Board of Aldermen April 6, 2020 regular meeting is cancelled
- Next Regular Board of Aldermen Work Session – April 20, 2020
- Next Regular Board of Aldermen Meeting – April 20, 2020

MINUTES: March 2, 2020 Regular Meeting

MOTION TO APPROVE THE MINUTES FROM THE MARCH 2, 2020 REGULAR BOA MEETING.

Alderman Turner made a motion to waive the reading of the minutes from the March 2, 2020 Regular BOA Meeting and approve same as submitted. The motion was seconded by Alderman Pellerito and passed unanimously.

THE MINUTES FROM THE MARCH 2, 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 Pellerito and passed unanimously. The following items were approved:

- Warrant dated March 16, 2020 in the amount of \$436,648.93
- Budget Transfer dated March 16, 2020
- New Liquor License
 - Robbin Griffith – **Dollar General**, Original Package

APPOINTMENTS:

PUBLIC COMMENT:

Darryl Lackey, 411 Shady Lane, Wentzville, Missouri, expressed concern about the City's plan to build a restroom facility at No Name Park's trailhead. Mr. Lackey noted he was speaking on behalf of his daughter who has a home under construction in the

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Wyndstone subdivision and Brian Huston who currently resides in the subdivision. His comments included:

- Individuals who purchased homes in this area had no way to know about the plan to build a restroom facility
- Proposed facility is in direct view and too close to his daughter's future home
- Sales agent didn't tell them about the plan for the restroom facility
- City should have posted a sign announcing the intention to build a restroom facility at that site
- People travel throughout the country looking for public restrooms for nefarious reasons
- Proposed facility will be a detriment to home values

Mr. Lackey asked if he could view the design plans for the restroom facility. Paul Markworth, City Administrator, informed Mr. Lackey that the City's engineer has not delivered the final design plans. Mr. Lackey asked the Board to stop the plan to build the facility at that location. He thanked the Board for their time and consideration.

Mayor Schweikert informed Mr. Lackey that the City's plan to construct a trailhead and walking trails for No Name Park have been discussed at many meetings over several years. McBride Homes was aware of the City's plan, it was part of the original annexation agreement. She disagreed with Mr. Lackey's opinion that building a restroom facility at the trailhead would negatively affect property values, citing numerous locations throughout the City of Lake Saint Louis where restrooms are adjacent and/or in view of residential homes. Mayor Schweikert noted the restroom facility will have automatic locks and cameras.

Katherine Lackey, asked the Board to discontinue the plan to build a bathroom at that location. She said it could be moved further down the trail. Ms. Lackey said she is not concerned with how this will impact the appraisal value of her home because she considers this to be her forever home. She is concerned with the aesthetics, she doesn't want to look at a public restroom or have it obstruct her view. Ms. Lackey asked the Board to enact a new law that would require builders to disclose everything they know about the property (and adjacent property) they sell.

Brian Hutson, 82 Hidden Bluffs Drive, said he was not properly informed that a public restroom facility would be built at the No Name Park Trailhead. The builder did not

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disclose the information and he had no reason to question his builder. The builder is claiming they had no idea what the City was going to do with the donated property. Mr. Hutson said he is concerned with aesthetics. If he was informed about the City's plan at the time he was looking for his home, he may have changed his mind about purchasing in this subdivision. Mr. Hutson said he has security concerns about this public restroom facility because it is too close to the residential property, it encroaches on homeowners. He asked the Board to relocate the facility further away from the residential property.

Paul Markworth, City Administrator, said the facilities cannot be relocated further down the trail due to the floodplain and the location of utilities in this area.

TABLED:

Bill No. 4297 – An ordinance concurrently detaching certain territory from The City of Lake Saint Louis, Missouri and annexing such territory into The City of Dardenne Prairie, Missouri, all pursuant to the provisions of section 71.011 of the RSMo (2013) and stating the reasons therefor.

MOTION TO REMOVE FROM THE TABLE:

Alderman Turner made a motion to remove Bill No. 4297 from the table. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4297 was removed from the table.

MOTION TO AMEND BILL NO. 4297:

Alderman Turner made a motion to amend Bill No. 4297 by inserting new text in a new section as follows:

SECTION 4. The Lake Saint Louis City Administrator is hereby authorized to sign a bill of sale for the electric signal located on the property described in Exhibit "A".

The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4297 was amended to include the new text.

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FIRST READING:

Alderman Turner made a motion to authorize the first reading of amended Bill No. 4297. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4297 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of amended Bill No. 4297. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4297 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4297 AND ADOPT SAME AS AMENDED BY ASSIGNING ORDINANCE NO. 4089.

Alderman Turner made a motion to approve the second reading of Bill No. 4297 and pass same as amended by assigning Ordinance No. 4089. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

OLD BUSINESS:

NEW BUSINESS:

Bill No. 4301 – An ordinance to authorize the Mayor and/or City Administrator to exercise the first-year contract renewal option with J. M. Marschuetz Construction, Inc. for the City of Lake Saint Louis' Annual Concrete Replacement Program.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 4301. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4301 was read.

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SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 4301. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4301 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4301 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4090.

Alderman Torlina made a motion to approve the second reading of Bill No. 4301 and pass same by assigning Ordinance No. 4090. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4302 – An ordinance to award a contract to N. B. West Contracting Company for the Lake Saint Louis Boulevard Resurfacing Project Phase 2 and authorize the Mayor and/or City Administrator to execute said contract on behalf of the City.

FIRST READING:

Alderman Pellerito made a motion to authorize the first reading of Bill No. 4302. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4302 was read.

SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 4302. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4302 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4302 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4091.

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Alderman Pellerito made a motion to approve the second reading of Bill No. 4302 and pass same by assigning Ordinance No. 4091. The motion was seconded by Alderman Torlina; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4303 – An ordinance to authorize the Mayor and/or City Administrator to exercise the second one-year renewal option with Tramar Contracting, Inc. for on-call pavement marking services for the City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 4303. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4303 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 4303. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4303 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4303 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4092.

Alderman Turner made a motion to approve the second reading of Bill No. 4303 and pass same by assigning Ordinance No. 4092. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4304 – An ordinance authorizing City staff to conduct an online auction to dispose of one (1) 2007 John Deere Gator for the City of Lake Saint Louis, Missouri.

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FIRST READING:

Alderman Law made a motion to authorize the first reading of Bill No. 4304. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4304 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 4304. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 4304 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4304 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4093.

Alderman Law made a motion to approve the second reading of Bill No. 4304 and pass same by assigning Ordinance No. 4093. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4305 – An ordinance to authorize the Mayor and/or City Administrator to enter into a Five-Year Agreement, renewable annually, with USI Insurance Services to provide insurance consultant/broker services to The City of Lake Saint Louis, Missouri.

FIRST READING:

Alderman Torlina made a motion to authorize the first reading of Bill No. 4305. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4305 was read.

SECOND READING:

Alderman Torlina made a motion to authorize the second reading of Bill No. 4305. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4305 was read.

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MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4305 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4094.

Alderman Torlina made a motion to approve the second reading of Bill No. 4305 and pass same by assigning Ordinance No. 4094. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4306 – An ordinance authorizing the Mayor and/or City Administrator to execute an Escrow Agreement with Duello Road, LLC guaranteeing completion of grading and installation and maintenance of erosion control measures for the West Ridge Farm subdivision.

FIRST READING:

Alderman Pellerito made a motion to authorize the first reading of Bill No. 4306. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4306 was read.

DISCUSSION:

Alderman Turner asked if West Ridge Farm was located next to Wyndstone. Louis Clayton, Community Development Director, replied, "It is located west of Wyndstone and east of Duello Road."

SECOND READING:

Alderman Pellerito made a motion to authorize the second reading of Bill No. 4306. The motion was seconded by Alderman Torlina and passed unanimously. Bill No. 4306 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4306 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4095.

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Alderman Pellerito made a motion to approve the second reading of Bill No. 4306 and pass same by assigning Ordinance No. 4095. The motion was seconded by Alderman Torlina; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4307 – An ordinance authorizing the Mayor and/or City Administrator to execute an Escrow Agreement with Scott Brothers Investment Corporation guaranteeing completion of grading, installation and maintenance of erosion control measures and installation of site improvements associated with Phase 2B of the Waterways Apartment complex.

FIRST READING:

Alderman Turner made a motion to authorize the first reading of Bill No. 4307. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4307 was read.

SECOND READING:

Alderman Turner made a motion to authorize the second reading of Bill No. 4307. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4307 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4307 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4096.

Alderman Turner made a motion to approve the second reading of Bill No. 4307 and pass same by assigning Ordinance No. 4096. The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Bill No. 4308 – 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.

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FIRST READING:

Alderman Law made a motion to authorize the first reading of Bill No. 4308. The motion was seconded by Alderman Pellerito and passed unanimously. Bill No. 4308 was read.

SECOND READING:

Alderman Law made a motion to authorize the second reading of Bill No. 4308. The motion was seconded by Alderman Turner and passed unanimously. Bill No. 4308 was read.

MOTION TO PASS AND ADOPT THE SECOND READING OF BILL NO. 4308 AND ADOPT SAME BY ASSIGNING ORDINANCE NO. 4097.

Alderman Law made a motion to approve the second reading of Bill No. 4308 and pass same by assigning Ordinance No. 4097. The motion was seconded by Alderman Turner; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Resolution No. 03-16-20 (1) – A resolution authorizing City Officials to submit a Grant Application requesting funds from Saint Charles County Road Board on behalf of The City of Lake Saint Louis, Missouri for the Old Highway N – Phase 2 Improvement Project.

Mayor Schweikert read Resolution No. 03-16-20 (1).

MOTION TO APPROVE RESOLUTION NO. 03-16-20 (1):

Alderman Torlina made a motion to approve Resolution No. 03-16-20 (1). The motion was seconded by Alderman Pellerito; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

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BOARD COMMENTS:

Alderman Pellerito said he feels pretty good after his surgery. He has been able to participate in walking and biking exercises. Alderman Pellerito asked the City Administrator to prepare a recommendation for the City's response to the employee restricted or reduced work due to the outbreak of the Coronavirus disease.

Alderman Turner asked if employees could donate sick time to other employees. Paul Markworth, City Administrator, replied, "No", we don't have a sick time donation program. Alderman Turner said he would be in favor of erecting a sign at the No Name Park Trailhead to announce the future City Park and the parking lot/restroom facilities.

Alderman Law advised the City Administrator to get as many laptops as he determined necessary to allow employees to work remotely.

Mayor Schweikert said she is preparing an article for Newstime and asked for an update from City staff regarding the City's response to COVID-19. Mayor Schweikert commented on the complaints about a builder failing to disclose information when they sell a home, noting it was her opinion that the City could not and should not get involved in private real estate transactions.

STAFF COMMENTS:

Chris DiGiuseppi, Police Chief, said the Police Department is very busy, currently they are working three (3) stolen vehicle cases from last week. All three vehicles were unlocked with the keys inside the vehicles. Chief DiGiuseppi said he is participating in daily briefings to stay abreast of the constantly evolving issues related to COVID-19. Chief DiGiuseppi said the Police Department is not responding to non-emergency medical cases. He also noted the hospitals in St. Charles County will be setting-up drive through testing facilities.

Derek Koestel, Public Works Director, said the Facilities Maintenance staff is providing additional sanitation services for the City offices. We hope this helps to reduce the occurrence of virus contamination via commonly touched surfaces, i.e. door handles, etc.

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EXECUTIVE SESSION: Legal RSMO 610.021.1 Real Estate RSMO 610.021.2, and Personnel RSMO 610.021.3 exemptions.

MOTION TO RECESS REGULAR SESSION AND CONVENE EXECUTIVE SESSION:

Alderman Pellerito 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 Turner; the poll of the Board being ayes: Turner, Torlina, Pellerito, Potter and Law. Nays, none. Alderman Vennard was absent. The motion passed.

Regular Session recessed, Executive Session convened at approximately 8:10 p.m.

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

RECONVENE:

The regular meeting reconvened at approximately 8:17 p.m.

GENERAL DISCUSSION:

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