

**St. Charles County Council Journal
Regular Meeting – May 30, 2023**

The St. Charles County Council met on Tuesday, May 30, 2023, at 7:00 p.m. in the Council Chambers at 100 North Third Street, St. Charles, MO 63301.

Council Chair Hollander introduced Reverend Manny Macias with the United Pentecostal Church who provided the invocation and Council Member Matt Swanson led the Pledge of Allegiance.

The following roll call was taken by the clerk:

Councilman Matt Swanson	present
Councilman Joe Brazil	present
Councilman Mike Elam	present
Councilman Dave Hammond	present
Councilman Terry Hollander	present
Councilwoman Nancy Schneider	present
Councilman Tim Baker	present

County Executive Staff present:

Steve Ehlmann, County Executive
 Joann Leykam, Director of Administration
 John Greifzu, Assistant Director of Administration
 Bob Schnur, Assistant Director of Administration

County Counselor’s Office:

Rory O’Sullivan, Acting County Counselor

IN THE MATTER OF)
)
PUBLIC COMMENTS)

Council Chair Hollander opened the floor for public comments stating they will hear six speakers on each topic alternating pro and con and allowing three minutes per speaker.

St. Charles City-County Library

Rachel Homolak, St. Charles County resident, shared her story regarding taking her 4-year old son to the Kathryn Linemann Library and encountering an employee in the children’s section wearing makeup and having facial hair. Homolak continued saying she contacted the CEO of the library and scheduled a meeting, which the CEO canceled and also shared frustration with the media, protestors and the CEO on Friday, May 26, 2023. Homolak also noted concern regarding the St. Charles City-County Library’s tax dollars going to help fund the Urban Library Council.

Election Transparency

Terry Bell, Lincoln County, MO resident, shared his concerns regarding the Election Authority and the actions related to cutting wires on election equipment. Bell stated trust, respect and loyalty is expected within the election process.

St. Charles City-County Library

Ken Gontarz, St. Charles County resident, explained both conservative parents and opposing residents along with the police were gathered on Friday, May 26, 2023 at the Spencer Creek Library to support their beliefs regarding the incident that happened to Ms. Homolak. Gontarz noted the library system should be respectful and safe for all.

Election Machines

Brenda Webb, St. Charles County resident, presented a video of a meeting that included dialogue of Kurt Bahr, Director of the St. Charles County Election Authority, and his Assistant Director, Mark Parkinson, along with other individuals relating to possible cyber-attacks on election equipment.

Mary Ann Boatright, a St. Peters resident, shared concerns regarding the election equipment and if the contracts, MO Rules have been compromised with the cutting of wires by the St. Charles County Election Authority. Boatright requested an open investigation by an independent operative.

Linda Rantz, resident of Osage County, MO, displayed a power point presentation regarding the recent town hall meeting held in March, 2023, the wires being cut by the St. Charles County Election Authority and requested an investigation into the election machines.

Bryon Keelin, resident of St. Louis County, MO, stated he was affiliated with the organization Freedom Principle of MO and stated they have inquired with the MO Secretary of State Jay Ashcroft to investigate this matter of wire cutting on election machines in St. Charles County.

Sheriff

Jen Olson, resident of St. Charles County, requested the Council take the first step in getting a full Constitutional Sheriff back in St. Charles County. Olson explained a petition with signatures of registered voters or an ordinance passed by the County Council can put this matter on the ballot for the citizens of St. Charles County to vote on.

Miscellaneous

Arnie C. A.C. Dienoff, County resident, shared concerns regarding the professional services on Duello Road, the Change Order for Klondike Park Courtesy Dock, the Tasers bid for Police, Bill No. 5177 and Bill No. 5185.

Community Volunteering

Andy McKean, St. Charles County resident, stated he was affiliated with various organizations that do community service and requested the County Council pass a resolution encouraging all citizens to do whatever community service they can to help the community and make St. Charles County stand out not only in MO but the whole country.

**IN THE MATTER OF)
ORAL REPORT)
FROM THE COUNTY EXECUTIVE)**

County Executive Steve Ehlmann waived his time to St. Charles County Election Authority Director Kurt Bahr to explain the situation with changes made to election equipment. Bahr explained the confusion with the wire cutting and that the authorized vendor actually did the modifications in 2021. Bahr agreed there was some mistruths said at the town hall meeting in March, 2023 at the Family Arena. Bahr also stated the Secretary of State’s office did an Election Authority’s Cyber Audit as a formality done throughout the state and the wire cutting situation was explained to them. Once explained, the Secretary of State’s office staff doing the audit did not feel there would be an issue with what was done in St. Charles County.

Council Member Brazil stated the town hall meeting was about County business as it relates to the Election Authority. Brazil had support from other Council Members to help fund the event and is now getting pushback on reimbursement on expenses. Brazil pointed out Bahr had agreed to pay the expense and then backed out after the wire cutting video was put in e-mails.

Council Member Swanson asked if once the Secretary of State’s office finishes their cyber audit will there be a report with the summary. Bahr responded yes there will e a report. Bahr noted a follow up on the timing for the report will be after the 4th of July.

Council Member Baker questioned Bahr on why he declined to pay for the event after saying he would. Bahr explained, it was a private citizen who organized and put a deposit down on the event and Bahr does not reimburse for private events. Bahr noted the County Council does not have the authority to hold election events and for that reason denied to pay for the expenses.

**IN THE MATTER OF)
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CONSENT AGENDA)**

Council Chair Hollander asked if there were any items to be removed from the Consent Agenda. Council Member Baker made a motion to remove the Highway Department Addendum No. 2 for Gutermuth Road, Phase 3, seconded by Council Member Hammond and unanimously approved. Council Member Brazil removed the Election Authority bid item, seconded by Council Member Elam and unanimously approved. Council Member Elam made a motion to approve the Consent Agenda as modified, seconded by Council Member Schneider and unanimously approved. The approved items are as follows:

- Approval of Journal of the previous meeting – 5-08-2023**
- Approval of Purchases**

Information Systems – 2023 Adobe Maintenance Renewal/Software House Int'l/\$53,081.22
– Dell Desktops, Laptops & Docking Stations/Dell Marketing/\$232,166.00
– Dell Latitude Rugged Laptop & Docking Stations/Dell Marketing/\$79,846.00
– EOC and GGL Network Switches – SHI/\$265,402.89

Parks and Recreation – Track Type Skid Loaders – Luby Equipment Services/\$199,500
– Public Safety Radios (P25 Capable) – Motorola Solutions/\$59,989.96

Police – Point Blank Custom Guardian Load Bearing Vests and Plates– Leon Uniform/\$117,150

Juvenile Justice – Prof. Services for Health Care Services for Juvenile Facility/ATC Healthcare Services, LLC/\$120,000

Highway – Prof. Services for Duello Road, Phase II Reconstruction Project/Great River Associates \$157,070

– Asphalt Friction Seal and Asphalt Rejuvenating Seal/Gee Asphalt Systems, Inc. \$195,563.47

Nominations and Appointments

Merit System Commission – Patrice Komoroski/partial term expiring 4-30-24/filling a vacant position formally held by Delores Wetzel

Developmental Disabilities Resource Board – Terrence (Terry) Elmendorf/partial term expires 1-31-26/filling the position formerly held by Angie Rhodes

Miscellaneous

Parks and Recreation – Change Order No.1/Klondike Park Courtesy Dock Construction and Development/J.F. Brennan Company, Inc./\$1,100,000

Emergency Communications – Renumbering/Readdressing 761 and 801 Natchez Dr.

Police – Change Order No. 1 – Axon Taser 7 Platform/Axon Enterprise, Inc./\$267,588.70

Community Development – Findings of Fact, Conclusions of Law, Decision and Order – Bill No. 5165/CUP23-02

**IN THE MATTER OF)
ITEMS REMOVED FROM)
THE CONSENT AGENDA)**

Highway – Addendum No. 2 – Gutermuth Road, Phase 3/GBA, Inc./\$232,185

Council Member Baker questioned the \$232,000 change order amount. County Engineer John Lyons replied when the project was designed, a turn lane the whole distance was the County’s standard practice and with the bids coming in so much higher than expected, they tried to find ways of cutting the costs. In looking at cuts, Lyons explained they removed the turn lane for the whole distance and put in turn lanes in specific areas which lowered the overall project price, but did increase the design contract due to having to redesign the new turn lanes. Lyons also noted there are other costs being removed from the project.

There being no additional discussion, Council Member Elam made a motion to approve the Highway Department’s Addendum No. 2 for Gutermuth Road Phase 3, seconded by Council Member Schneider and unanimously approved.

Election Authority – Election Absentee Services Counter/Integra, Inc./\$63,989.00

Council Member Brazil stated he would not be supporting anything from the Election Authority. There being no additional discussion, Council Member Elam made a motion to approve the Election Absentee Services Counter, seconded by Council Member Schneider and approved by all Council Member with the exception of Councilman Brazil.

IN THE MATTER OF)
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BILLS FOR FINAL PASSAGE)

Bill No. 5177 – Sponsored by Matt Swanson – AN ORDINANCE OF THE COUNTY OF ST. CHARLES, MISSOURI, APPROVING VARIANCES FOR THE GROVE AT RIVERDALE SUBDIVISION

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5177 was unanimously approved.

Bill No. 5178 – Sponsored by Joe Brazil – AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) FOR THE DUELLO ROAD, PHASE II PROJECT

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5178 was unanimously approved.

Bill No. 5179 – Sponsored by Joe Brazil – AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) FOR THE HEPPERMAN ROAD, PHASE II PROJECT

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5179 was unanimously approved.

Bill No. 5180 – Sponsored by Joe Brazil – AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) FOR THE PROJECT ON HOPEWELL ROAD

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5180 was unanimously approved.

Bill No. 5181 – Sponsored by Matt Swanson and Tim Baker – AN ORDINANCE APPROVING AN AGREEMENT WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION (MoDOT) FOR ASPHALT OVERLAY ON MAJOR STREETS

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5181 was unanimously approved.

Bill No. 5182 – Sponsored by Matt Swanson – AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF WENTZVILLE FOR DESIGN AND RIGHT-OF-WAY FOR THE FUTURE CONSTRUCTION OF DAVID HOEKEL PARKWAY PHASE 3

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5182 was unanimously approved.

Bill No. 5183 – Sponsored by Terry Hollander – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE CONTRACT AMENDMENT #006 FOR AUTOPSY SERVICES WITH THE MISSOURI DEPARTMENT OF SOCIAL SERVICES FOR CHILD DEATH AUTOPSY SERVICES

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5183 was unanimously approved.

Bill No. 5184 – Sponsored by Terry Hollander – AN ORDINANCE WAIVING LIQUOR LICENSE FEES FOR CERTAIN CONCESSIONS OPERATIONS OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF ST. CHARLES FOR THE PERIOD JULY 1, 2023, THROUGH JUNE 30, 2024

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5184 was unanimously approved.

Bill No. 5185 – Sponsored by Matt Swanson, Joe Brazil, Dave Hammond and Tim Baker – AN ORDINANCE AMENDING SECTIONS 605.090 AND 605.140, ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMO”) CONCERNING THE UNIFORMS OF COMMISSIONED POLICE OFFICERS

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5185 was unanimously approved.

Bill No. 5186 – Sponsored by Terry Hollander – AN ORDINANCE AMENDING SECTION 115.710 OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMo”) TO ESTABLISH THE POSITION OF MANAGER OF CYBER INTELLIGENCE, AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH EAST WEST GATEWAY COUNCIL OF GOVERNMENTS AND AMENDING ORDINANCE 22-087 BUDGET OF ST. CHARLES COUNTY TO RECOGNIZE THE ADDITIONAL REVENUE FROM THIS GRANT AND ESTABLISH THE GRANT FUNDED POSITION IN THE POLICE DEPARTMENT

There being no further discussion, Council Chair Hollander requested the following roll call vote: Council Member Swanson – yes, Council Member Brazil – yes, Council Member Elam – yes, Council Member Hammond – yes, Council Member Hollander – yes, Council Member Schneider – yes, Council Member Baker – yes. Bill No. 5186 was unanimously approved.

IN THE MATTER OF)
)
BILLS FOR INTRODUCTION)

Bill No. 5187 – Sponsored by Nancy Schneider – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE THE INTERGOVERNMENTAL AIRPORT IMPROVEMENT PROGRAM CONTRACT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION AND ACCEPTANCE OF GRANT FUNDS

Bill No. 5188 – Sponsored by Terry Hollander – AN ORDINANCE AMENDING THE 2023 BUDGET ADOPTED BY ORDINANCE 22-087 BY PROVIDING A SUPPLEMENTAL APPROPRIATION TO THE BUDGET OF THE ST. CHARLES COUNTY POLICE DEPARTMENT

Bill No. 5189 – Sponsored by terry Hollander – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN ST. CHARLES COUNTY AND THE MISSOURI DEPARTMENT OF CORRECTIONS FOR THE ADMINISTRATION AND READING OF TUBERCULOSIS SKIN TESTS (“TST”) AND FOR THE ADMINISTRATION OF SPECIFIED VACCINATIONS TO DEPARTMENT EMPLOYEES, VOLUNTEERS AND INTERNS

Bill No. 5190 – Sponsored by Joe Brazil – AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO ACCEPT TWO GRANTS FROM THE MISSOURI DEPARTMENT OF NATURAL RESOURCES (“DNR”) TOTALING FIVE THOUSAND AND TWENTY-FIVE DOLLARS (\$5,025) OF FINANCIAL ASSISTANCE FROM THE FEDERAL DRINKING WATER STATE REVOLVING FUND CAPITALIZATION GRANTS FOR THE ST. CHARLES COUNTY PARKS & RECREATION DEPARTMENT TO CAP ABANDONED WELLS

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Council Chair Hollander asked if there were any announcements or miscellaneous from Council Members.

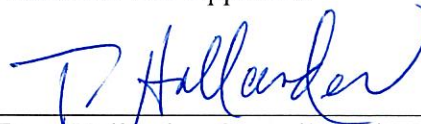
Council Member Hammond rebutted public comments from Arnie C. AC Dienoff, correcting information relating to his salary, how many hours a week he works and his pensions.

Council Member Elam apologized to Council Member Baker for his tone sounding hostile during the Consent Agenda portion of the meeting.

Council Member Swanson stated Mr. McKean had some great ideas and encouraged the Council Members to sit down and visit with him. Council Member Elam agreed and noted Mr. McKean is a true teacher of the Constitution and carries give away cards with it printed on to give away to anyone interested. Council Member Brazil stated he would be in support of the resolution that was requested by Mr. McKean and the Council all agreed to sponsor it.

There being no further announcements Councilman Elam motioned to adjourn, seconded by Councilman Schneider and unanimously approved. The meeting adjourned at 8:23 p.m.

Examined and Approved



Terry Hollander, Council Chair
St. Charles County, Missouri

/djv