

**St. Charles County Council Journal
Work Session – August 14, 2023**

The work session of the St. Charles County Council regarding SB190 (a freeze on real estate tax for seniors) and other miscellaneous topics was called to order at 6:00 p.m.

Council members present: Councilman Swanson, Councilman Brazil, Councilman Elam, Councilman Hammond, Councilman Hollander, Councilwoman Schneider, Councilman Baker.

Executive staff present: County Executive, Steve Ehlmann; Director of Administration Joann Leykam; Asst. Directors of Administration John Greifzu and Bob Schnur

Acting County Counselor present: Rory O’Sullivan

Council Chair Hollander noted there would be no public comment as the purpose of the meeting was to gather information and provide clarity on SB190.

Rory O’Sullivan, Acting County Counselor, gave an overview explaining the history of SB190, what the bill says, who is eligible, how it could be adopted and issues with language in the bill. O’Sullivan pointed out issues that were concerning about the bill. Prior versions of the bill addressed eligibility and income thresholds, but the final bill does not. Language in the bill raised red flags with attorneys concerning possible violations of the Hancock Amendment which states the legislature cannot create unfunded mandates. This bill would add implementation cost to the Collector of Revenue without a funding source. The terms tax credit and exemption have different meanings and are used interchangeably in the bill. The bill is vague concerning which taxing entities are required to comply. The bill could be enacted by ordinance or go to a vote of the people. O’Sullivan stated the bill will most likely end up in court.

The language in the bill does not clearly state if eligibility begins at 62 or 65 years of age, if teachers and railroad workers are eligible. if a married couple could freeze taxes in 2 counties if they have homes in each, if homes in a trust are included and if the school districts are required to comply.

Discussion was held concerning allowing public speakers at the work session. Councilman Brazil stated he would like to hear the other side’s talking points. Council Chair Hollander decided that there would be no public comment.

Ehlmann stated he sent a letter to the Governor requesting a legislative session to clarify the language and the intent of the bill before it is signed and enacted on August 28th. The County is considering all the issues so that an effective and useful bill is presented. St. Louis County brought up the issue immediately and their bill was voted down by the Council. Council Chair Hollander assured the audience that each Councilmember agreed with the intent of the bill but the language was vulnerable.

Ehlmann requested a draft bill that uses the broadest interpretation of the law that also has safeguards to provide relief to seniors if the bill is challenged in court. That draft may be available by the next Council meeting.

Councilman Swanson stated as the 3rd largest county in the state St. Charles County needs to take the risk and lead on this issue.

Councilman Elam said the bill is a half-baked pie, the legislature started the process and Council needs to finish but with a good bill. Elam spoke with 3 of the state representatives who passed the bill and each of the 3 had different interpretations.

There were no other topics discussed. Council Chair Hollander ended the work session at 6:52 p.m.

**St. Charles County Council Journal
Regular Meeting – August 14, 2023**

The St. Charles County Council met on Monday, August 14, 2023, at 7:00 p.m. in the Council Chambers at 100 North Third Street, St. Charles, MO 63301.

Council Chair Hollander introduced Corporal Barry Bayles, Public Affairs Coordinator with the St. Charles County Police Department who provided the invocation and Councilwoman Schneider 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

Councilwoman Schneider made a motion to take up the two resolutions on the agenda, seconded by Councilman Hammond with all in favor.

IN THE MATTER)
OF)
RESOLUTIONS)

Resolution No. 23-03 - Sponsored by Council as a whole, A RESOLUTION DESIGNATING THE COUNTY OF SAINT CHARLES AS A PURPLE HEART COUNTY TO REMEMBER AND HONOR THOSE VETERANS WHO ARE THE RECIPIENTS OF THE PURPLE HEART MEDAL

There being no discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes, Councilman Baker – yes. Resolution No. 23-03 was approved 7-0.

Resolution No. 23-04 – Sponsored by Joe Brazil, Mike Elam, Nancy Schneider and Tim Baker: A RESOLUTION CONCERNING THE ST. CHARLES CITY-COUNTY LIBRARY SYSTEM, AND MAKING CERTAIN RECOMMENDATIONS, INCLUDING THE ADOPTION OF A NEUTRAL POLITICAL POLICY ON ALL CULTURAL ISSUES

Councilman Brazil stated the focus of the resolution was for the library to be neutral on political issues, enforce a dress code and resume hours on Sundays.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes, Councilman Baker – yes. Resolution No. 23-04 was approved 7-0.

IN THE MATTER OF)
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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.

Resolution 23-04

Perry Dodge, County resident, thanked the Council for passing Resolution 23-03. Dodge stated he appreciates the library system but questioned leadership that defends exhibitionism over children, that supports the American Library Association, and whose actions seek to replace parent oversight. Dodge suggested the Council give deep consideration when confirming Library Board appointees and questioned if the number of appointees could reflect the growing population.

Lacey Burnette, Dardenne Prairie resident, stated the resolution was the result of a hate campaign against a brave young man at the library. Burnette stated the Council had no authority over the Library.

Dianne Romer, County resident, thanked the Council for passing the resolution and working for the well-being of the citizens. Romer stated the focus needs to be the best interest of children and the

attire of employees at the library has not been appropriate. Romer warned that elected officials need to be ready to fight for appointees on boards that protect children.

Kristen Sebert, St. Charles city resident, stated she is angry and it was cowardly that the Council passed the resolution without hearing from the public. Sebert stated the library dress code is being enforced and the hidden agenda behind the resolution is to ban books. Sebert was disgusted the Council gave voice to baseless and cruel accusations of pedophilia in the library.

Ken Gontarz, County resident, stated he attended a Heritage Foundation event that addressed how conservative vs. progressive ideologies on many issues are tearing the nation apart. Gontarz suggested the conservative population of the County be represented and suggested political activism be withdrawn from the library system.

Aimee Robertson, O'Fallon resident, stated the Council acted like a bully towards the library by picking on an individual, exaggerating the story, and causing everyone to hate the target. Robertson claimed children will model this bad behavior that in this case was tolerated and rewarded with a resolution. Robertson warned the Council against giving ear to bullies/extremists and acting on fear of not being re-elected. Robertson urged the Council to stand up and push back against the hate.

Senate Bill 190

Michelle McBride, St. Charles County Collector, stated an election is required to raise the tax rate over the approved maximum levy. McBride shared that The State Blind Pension Fund is owed \$.03 on every \$100 of assessed property and that will not be exempt from SB190. McBride stated any additional activity associated with the bill and mandated by the state will need funding and the state will not cover those costs.

David Lewis, Wentzville resident and Wentzville Board of Education member stated his tax bill went up \$1000 and sees being taxed out of his moderate home. Lewis stated he heard negative comments from the work session and the citizens want broad interpretation of the law. Lewis noted it is too late for debate and urged the Council to do what is right for the senior citizens.

Walter Trost, County resident, stated he has lived in his St. Charles home for 24 years and always supported education. Trost stated his property tax increased by 19% last year and any cost of implementing a freeze for seniors would be offset by the future increases to everyone else. Trost noted the comments made by the Executive regarding implementing the bill were negative.

Dennis Ganahl, Director of founder of Mo Tax Relief Now, recommended the Council take the lead on this issue, put SB190 into action, form a committee to draft ordinance language that is tailor made to St. Charles County, and that taxing authorities will follow the ordinance. Ganahl stated the senior tax relief passed the legislature in 1 year, it is what citizens want, and moving forward with language agreed upon by the Council without the need for 11,000 voter signatures is a good thing.

Bill No. 5200 and Bill No. 5203

Mike Boerding, an engineer with the Sterling Co, on behalf of DHKS, requested Bill No. 5200 and Bill No. 5203 be removed from the table and he would be available for any questions.

Miscellaneous

Greg Modlish, County resident, stated the Republican Central Committee is hosting Freedom Fest in Defiance at Sugar Creek Winery on September 15th, as a fundraiser for local party candidates. Modlish stated there would be live music from 6:30 to 9:30 p.m., and a raffle in honor of Jared Schmitz.

Jarrett Pillsbury, St. Peters resident, stated acting without focus is a problem, and rash actions based on appearances leave many abuses and actual problems unaddressed in the County. Pillsbury urged the Council to be more informed and to consider the source when making policy. Pillsbury condemned the Council actions regarding the library district, saying they catered to extremist.

Arnie Dienoff, O’Fallon resident, noted a 23-24% property value increase for residents this year and requested the Executive appoint County residents to County management positions to boost the local economy. Dienoff requested the salary of the Director of Communications, that the 9 trustees of the Library Board be elected and questioned costs of Bill No. 5213.

* A speaker was overlooked during Public Comment and was given time to speak after the Oral Report of the County Executive.

Katherine Mannell, Kansas City resident, stated the people’s faith in the election process needs to be restored. Mannell made sunshine requests of Kurt Bahr, Director of Elections, that have gone without response. Mannell has filed a complaint with the MO Attorney General. Mannell questioned if there were any legally accredited agencies to validate voter machines, noting open.ink/konnech that shows Chinese ties to our election software. Mannell encouraged the Council to stop allocating money for election equipment and to investigate election issues, citing the website No MO fraud.

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

Steve Ehlmann, County Executive, thanked Scott Shipman for his years of outstanding service as the County Assessor. Ehlmann noted that a former Senator and friend who now serves on the State Tax Commission never missed an opportunity to tell him that Scott Shipman was one of the best assessors in the entire state. Ehlmann acknowledged that the County is losing a top-notch person.

Ehlmann also recognized Mary Enger, Directors of Communications, for her service to the County. He thanked her for her guidance during especially trying times of the COVID crisis. Ehlmann thanked her for the many lessons learned, for building up the department that improved at every level, and he welcomed Kevin Kileen as the new, replacement director.

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. Hearing none, Councilman Elam made a motion to approve the Consent Agenda, seconded by Councilman Hammond and approved by all present. The approved items are as follows:

Approval of Journal of the previous meeting -- 7-31-2023

Approval of Purchases

- Highway - Prof. Services – Design and Const. Services for Stormwater Imp. For Heritage Subd./Horner Shifrin/\$372,200.00
- 10,000 lb. Forklift/Benco Ind. Equipment/\$58,866.48
- Cold Milling of Duello Road, Phase 2B/Pace Construction Co., LLC/\$56,125.00

Parks & Recreation - Remove and replace metal siding and roof at Quail Ridge shop/Kendall, LLC \$125,000.00

- Emergency Communications - SCC Remote Radio Sites Tower Inspection and Maintenance Motorola, Inc./\$63,204.00
- SCC Remote Radio Sites Building Inspection and Maintenance Motorola, Inc./\$94,425.00

Nominations and Appointments

Government Shared Leave Bank Committee - Lt. Curtis Sullivan/St. Charles Co. Police Dept. to Replace Capt. Craig Ostermeyer/term expires 2-8-26

Retirement Plan Advisory Committee - Travis Welge, County Assessor replacing Scott Shipman

Miscellaneous

Facilities - Wentzville Public Health Clinic Lease with SSM

IN THE MATTER OF)
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BILLS FOR FINAL PASSAGE)

Bill No. 5212 – Sponsored by Terry Hollander, AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF LAKE SAINT LOUIS FOR THE COLLECTION OF AD VALOREM REAL ESTATE TAX, AD VALOREM PERSONAL PROPERTY TAX, SEWER LINE REPAIR SERVICE FEES, AND WATER LINE REPAIR SERVICE FEES

There being no discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes, Councilman Baker – yes. Bill No. 5212 was approved 7-0.

Bill No. 5213 – Sponsored by Terry Hollander, AN ORDINANCE AMENDING THE 2023 BUDGET AS ADOPTED BY ORDINANCE 22-087, AS AMENDED, FOR THE RE-ESTABLISHMENT OF THREE KITCHEN WORKER POSITIONS IN THE DEPARTMENT OF CORRECTIONS, AND FURTHER, WITHIN THE ST. CHARLES COUNTY POLICE DEPARTMENT, FOR A RECLASSIFICATION OF FOUR POLICE OFFICER POSITONS IN THE PATROL BUREAU TO

THE EXISTING POSITION OF POLICE SERGEANT AND AN AMENDMENT TO THE BUDGET OF THE PATROL BUREAU AND REALIGNMENT OF THE DIVISION OF EMERGENCY MANAGEMENT TO THE BUREAU OF THE CHIEF AND TRANSFERRING APPROPRIATIONS BETWEEN LINE ITEMS IN THE GENERAL FUND BUDGET OF THE DEPARTMENT OF POLICE RELATED TO THE DIVISION OF EMERGENCY MANAGEMENT

There being no discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – yes, Councilman Brazil – yes, Councilman Elam – yes, Councilman Hammond – yes, Councilman Hollander – yes, Councilwoman Schneider – yes, Councilman Baker – yes. Bill No. 5213 was approved 7-0.

IN THE MATTER OF)
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BILLS FOR INTRODUCTION)

Bill No. 5214 - Sponsored by Terry Hollander, AN ORDINANCE AUTHORIZING EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT RELATING TO THE MANAGEMENT OF FIBER OPTIC INSTALLATION AND UTILIZATION BETWEEN ST. CHARLES COUNTY AND THE CITY OF WENTZVILLE

Councilman Elam noted he would abstain from voting on this bill to avoid any conflict of interest because he works in the industry.

Bill No. 5215 - Sponsored by Terry Hollander, AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE OR HIS DESIGNEE TO EXECUTE AMENDMENT #01 TO PROGRAM SERVICES CONTRACT #KQ230052432 WITH THE MISSOURI DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR VIOLENT DEATH AND OVERDOSE DEATH SURVEILLANCE REIMBURSEMENT

Bill No. 5216 – Sponsored by Terry Hollander, AN ORDINANCE AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERGOVERNMENTAL FIELD PRACTICUM PLACEMENT AGREEMENT WITH THE CURATORS OF THE UNIVERSITY OF MISSOURI FOR THE UNIVERSITY OF MISSOURI - COLUMBIA MASTERS OF PUBLIC HEALTH (MPH) PROGRAM

Bill No. 5217 - AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT RELATING TO PUBLIC SAFETY ANSWERING POINT GEOGRAPHIC INFORMATION SYSTEM BOUNDARIES AND RELATED DOCUMENTS.

Bill No. 5218 – Sponsored by Terry Hollander, AN ORDINANCE AUTHORIZING AMENDMENT NO. 1 OF ORDINANCE 22-036, MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION’S STATE BLOCK GRANT AGREEMENT, AIRPORT IMPROVEMENT PROGRAM GRANT – PROJECT 21-111A-2, CFDA 20.106, TO DESIGN TAXILANE PAVEMENTS AT ST. CHARLES COUNTY REGIONAL AIRPORT - SMARTT FIELD

IN THE MATTER OF)
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TABLED BILLS)

Councilman Elam motioned to remove Bill No. 5200 from the table, seconded by Councilwoman Schneider with all in favor.

Bill No. 5200 – Sponsored by Joe Brazil, AN ORDINANCE GRANTING CONDITIONAL USE PERMIT CUP23-08 FOR A STORAGE YARD FOR RECREATIONAL VEHICLES, BOATS, TRAILERS, AND TRUCKS TO DHKS INVESTMENTS, LLC, PROPERTY OWNERS

Council Chair Hollander noted the bill concerned a conditional use permit denied by the Planning and Zoning Commission and would require 5 votes in the affirmative to pass.

Councilman Brazil noted the lack of a berm in the plot plan and clarified that a berm would be a condition for approval. Councilman Baker stated he would abstain from voting because he works for a company that owns the engineering firm that designed the plot plan. Councilman Swanson questioned if anything was changed since this bill had been tabled and nothing had been changed.

There being no further discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – no, Councilman Brazil – no, Councilman Elam – no, Councilman Hammond – no, Councilman Hollander – no, Councilwoman Schneider – no, Councilman Baker – abstained. Bill No. 5200 was denied 0-6, with one abstention.

Councilman Elam motioned to remove Bill No. 5203 from the table, seconded by Councilman Hammond with all in favor.

Bill No. 5203 – Sponsored by Joe Brazil, AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, TO C2, GENERAL COMMERCIAL DISTRICT, PER APPLICATION RZ23-07

There being no discussion, Council Chair Hollander requested the following roll call vote: Councilman Swanson – no, Councilman Brazil – no, Councilman Elam – no, Councilman Hammond – no, Councilman Hollander – no, Councilwoman Schneider – no, Councilman Baker – abstained. Bill No. 5203 was denied 0-6, with one abstention.

IN THE MATTER OF)
ANNOUNCEMENTS AND)
MISCELLANEOUS)

Councilman Elam welcomed Kevin Killeen, formerly of KMOX Radio, to the Director of Communications position for the County.

Councilman Brazil noted a cyber election summit would take place in Springfield, Missouri on September 16 -17.

Councilman Elam motioned to adjourn, seconded by Councilman Hammond with all in favor. The meeting adjourned at 8:07 p.m.

Examined and Approved

A handwritten signature in blue ink, appearing to read "T. Hollander", written over a horizontal line.

Terry Hollander, Council Chair
St. Charles County, Missouri

/csf