



**TENTATIVE AGENDA  
BOARD OF ALDERMEN WORK SESSION MEETING  
City of St. Peters Justice Center  
1020 Grand Teton Drive, St. Peters, MO 63376  
January 25, 2024 at 5:00 p.m.**

A. Communications from Board Members/Aldermanic Representatives

B. Board of Aldermen Items for Discussion

No items scheduled for discussion

C. Mayor/City Administrator Items

Unfinished Business Items:

1. [Discussion/Display & Sale of Fireworks \[continued from 1/11/24\]](#) – Pratt/Harms

New Business Items:

2. [Discussion/Draft Resolution Opposing Proposed State Legislation to Eliminate Taxation of Retail Food Sales](#) – Mayor
3. [WES CCTV Truck 434 Upfit Recommendation](#) – Haddock
4. [Asphaltic Concrete Materials Purchase](#) – Benesek
5. Miscellaneous Updates – Malach
6. Board Meeting Agenda Item Revisions – Malach

D. Executive Session re: Litigation, Real Estate and Personnel, pursuant to Section 610.021(1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

E. Adjournment

Agenda Posted at City Hall: January 22, 2024

By: L. Schroeder, Deputy City Clerk

Next Work Session: February 8, 2024

Meeting is available for viewing at [www.sptvnow.net](http://www.sptvnow.net)

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 210: OFFENSES, BY DELETING ARTICLE XII IN ITS ENTIRETY; ENACTING, IN LIEU THEREOF, A NEW CHAPTER 212: REGULATIONS FOR FIREWORKS; ENACTING A NEW CHAPTER 630: TEMPORARY FIREWORK STAND PERMIT; AND PROVIDING FOR THE REGULATION AND PERMITTING OF DISPLAY AND SALE OF FIREWORKS DURING FOURTH OF JULY FIREWORKS SEASON

**WHEREAS**, the City of St. Peters seeks to honor residents’ requests to legally demonstrate their patriotism and to celebrate the birth of the United States of America through fireworks displays; and

**WHEREAS**, the State of Missouri has outlined Fireworks Regulation in RSMo. 320.106-320.161; and

**WHEREAS**, many of the City’s neighboring communities have relaxed their fireworks regulations to recognize and allow traditional Independence Day use.

**WHEREAS**, the Board of Alderman finds that fireworks can be harmful to the public health and safety, however to reconcile this with the manner many residents choose to demonstrate their patriotism the Board of Alderman is enacting restrictions to the use of fireworks within the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:**

**SECTION NO. 1.** That Article XII: Regulations For Fireworks, of Chapter 210: Offenses, of the St. Peters City Code be and is hereby deleted in its entirety, and there is hereby enacted, in lieu thereof, a new Chapter 212: Regulations For Fireworks of Title II of the St. Peters City Code to read as follows:

**Chapter 212 Regulations for Fireworks**

**Section 212.010 Definitions.**

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

**CONSUMER FIREWORKS**

Explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, within 49 CFR Part 172; as defined Section 320.106, RSMo, as amended.

**FIREWORKS DISPLAY**

A presentation of fireworks for a public or private gathering.

**FIREWORKS STAND**

Any building, stand, tent, whether temporary or permanent, from which fireworks, as defined herein, are displayed and/or sold for retail purposes per licensing procedures contained in the Article.

**FIREWORKS SEASON**

The period beginning on the 25<sup>th</sup> of June and continuing through the 5<sup>th</sup> day of July, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

**MINOR**

Any person under the age of eighteen (18) years.

**PARENT**

Any person who is over the age of eighteen (18) years and is either the natural or adoptive parent (whose parental rights have not been terminated) of a minor or the legal guardian or foster parent of a minor. Except as may be otherwise applicable, if the minor is illegitimate, "parent" shall mean the natural mother. As used herein, "parent" does not include any sibling or other relative, regardless of age, or relation, unless such person is the adoptive parent, foster parent or legal guardian of such minor.

**PERMIT**

The written authority of the City issued under the authority of this Chapter of the Municipal Code.

**PERSON**

Any corporation, firm, association, partnership or individual or group thereof.

**PRIVATE PROPERTY**

A lot or tract of real property owned or controlled by parties other than the City, including the area of the street immediately adjacent to the lot or tract of real property measured by extending the side lot lines of the lot or tract to the centerline of the adjacent street.

**SALE**

An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one (1) or more individuals.

**SEASONAL RETAILER**

Any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined as firework season under this section.

## **RED FLAG WARNING**

*Red flag warning* or *fire weather warning* means a forecast warning issued by the National Weather Service to inform area firefighting and land management agencies that conditions are ideal for wildfire combustion, and rapid spread. After drought conditions, when humidity is very low, and especially when high or erratic winds which may include lightning are a factor, the red flag warning becomes a critical statement for firefighting agencies.

### **Section 212.020                      Fireworks - Setting Off, Exploding, Etc., Prohibited, Exception. (or Possession, Use, and Discharge)**

- A. It shall be unlawful for any person, firm, or corporation to shoot, detonate, use, or discharge fireworks for any nature within the City limits, except as provided for by this Section. However, this Chapter shall not apply to the following:
1. The necessary discharge of flares, or the equivalent, for signal purposes in connections with railroads or other means of transportation.
  2. The activities of any military or Police organization for official purposes.
  3. The use of blank cartridges, firearms or species of fireworks in connection with theatrical exhibitions.
  4. Any person holding a permit for public displays as provided in Chapter 507 of this Code.
  5. Matches, toy pistols, toy canes, toy guns, party poppers, or other devices in which paper caps containing twenty-five hundredths grains or less of explosive compound as set forth in Section 320.131(5), RSMo.
- B. It shall be lawful for any person to set off any fireworks, with the consent of the property owner, within the municipal boundaries of the City, between the hours of 12:00 P.M. and 11:00 P.M. on July 3 and 4 of each and every calendar year.
- C. It shall be unlawful for any person under the age of eighteen (18) to purchase, possess, set off, use, burn, explode or fire off any consumer fireworks within the municipal boundaries of the City without adult supervision. Supervision shall be adequate where the adult is within sight and sound of the minor during the discharge of the fireworks.
- D. It shall be unlawful for any parent, guardian, or other adult person having custody or control of any minor to knowingly allow such minor to discharge consumer fireworks in violation of the Code.
- E. **Prohibited Locations of Use.** Notwithstanding any other provision of this article, it shall be unlawful for any person to willfully set off, use, burn, explode or fire off any

consumer fireworks except on private property with the consent of the owner thereof. Nothing contained herein shall allow a person to obstruct a public place in violation of Section 210.260 of the City Code.

- F. **Responsibility of Property Owner or Agent.** It is unlawful for the owner, agent, or other qualified person to use, allow for use, consent to, or provide property within the limits of the City for the unauthorized discharge of fireworks or other violation of the provision of this section.
- G. **Red Flag Warning.** The Mayor has the authority, with the consensus of the Chief of Police and Emergency Management Director, to declare a ban on fireworks display under a Red Flag Warning issued by the National Weather Service.
- H. Any person who may use, discharge, set off, ignite, or fire fireworks within the City limits of the City of St. Peters, Missouri, shall be responsible for the safe and responsible use of such fireworks and for any damages caused by such fireworks. The City shall not be responsible for the use, discharge, set off, ignition, or firing of fireworks within the City limits of the City of St. Peters, Missouri.
- I. No person shall ignite or discharge any fireworks:
  - a. Within three hundred feet (300') of any permanent storage of ignitable liquid, gases, gasoline pump, and gasoline filling station.
  - b. Within or throw the same from or into a motorized vehicle including watercraft or any other means of transportation, except where display permit has been issued for a floating vessel or floating platform; or at or near any person or group of people.
  - c. Within six hundred feet (600') of any church, hospital, mental health facility, or school or within one hundred feet (100') of any location where fireworks are stored, sold or offered for sale.

**Section 212.030      Fireworks — Sale, Storage, Etc., Prohibited.**

- A. **Storage:** It shall be unlawful for any person to store any fireworks within the City; provided, that this Section shall not apply to the following:
  - a. Storage of fireworks by any person holding a permit for public displays as provided in Chapter 507.
  - b. A seasonal retailer whose firework stand is permitted and licensed in accordance to Chapter 630, Firework Stand Permit, of this Code.
- B. **Fireworks - Sale:** It shall be unlawful for any person to construct a firework stand or to sell, offer for sale or store any fireworks within the City; unless permitted as a seasonal

retailer and obtains a Firework Stand Permit as provided in Chapter 630, Temporary Fireworks Stand Permit, of this Code.

**Section 212.040      Penalty**

Any person violating this Article shall be adjudged guilty of a misdemeanor punishable by a fine of not less than one hundred dollars (\$100.00) and not to exceed five hundred dollars (\$500.00) per incident or by imprisonment of no more than 90 days in jail for each violation, or both such fine and imprisonment.

**SECTION NO. 2.** That Chapter 630, of Title VI, Business and Occupancy, of the St. Peters City Code be and is hereby amended by deleting it in its entirety, and enacted, in lieu thereof, a new Chapter 630, Temporary Firework Stand Permit, of said title, to read as follows:

**Chapter 630 – Temporary Firework Stand Permit**

**Section 630.010      Definitions.**

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

**CONSUMER FIREWORKS**

Explosive devices designed primarily to produce visible or audible effects by combustion and includes aerial devices and ground devices, all of which are classified as fireworks, UNO336, within 49 CFR Part 172; as defined Section 320.106, RSMo., as amended.

**FIREWORKS DISPLAY**

A presentation of fireworks for a public or private gathering.

**FIREWORKS STAND**

Any building, stand, tent, whether temporary or permanent, from which fireworks, as defined herein, are displayed and/or sold for retail purposes per licensing procedures contained in the Article.

**FIREWORKS SEASON**

The period beginning on the 25<sup>th</sup> of June and continuing through the 5<sup>th</sup> day of July, which shall be the only periods of time that seasonal retailers may be permitted to sell consumer fireworks;

**MINOR**

Any person under the age of eighteen (18) years.

**PARENT**

Any person who is over the age of eighteen (18) years and is either the natural or adoptive parent (whose parental rights have not been terminated) of a minor or the legal guardian or foster parent of a minor. Except as may be otherwise applicable, if the minor is illegitimate,

"parent" shall mean the natural mother. As used herein, "parent" does not include any sibling or other relative, regardless of age, or relation, unless such person is the adoptive parent, foster parent or legal guardian of such minor.

**PERMIT**

The written authority of the City issued under the authority of this Chapter of the Municipal Code.

**PERSON**

Any corporation, firm, association, partnership or individual or group thereof.

**SALE**

An exchange of articles of fireworks for money, including barter, exchange, gift or offer thereof, and each such transaction made by any person, whether as a principal proprietor, salesman, agent, association, copartnership or one (1) or more individuals.

**SEASONAL RETAILER**

Any person within the state of Missouri engaged in the business of making sales of consumer fireworks in Missouri only during a fireworks season as defined as firework season under this section.

**Section 630.020      Fireworks – Permits and Sales.**

- A. It shall be unlawful for any seasonal retailer to sell, offer to sell, or expose for sale any fireworks within the City limits, except as provided for in this Section.
- B. Requirement Of Permit For Fireworks Stand. Any seasonal retailer of fireworks shall file an application and obtain a fireworks stand permit under Section **630.030**, itinerant vendor license under Section **605.185**, which includes use review and approval from the Planning and Zoning Commission, and any applicable building permit and review required by the ordinances of the City of St. Peters, Missouri, for each and every proposed location, before conducting any sales of fireworks within the City of St. Peters, Missouri.

**Section 630.030      Fireworks Stand Permit – Application and Requirements.**

- A. Application for Temporary Fireworks Stand Permit. An application for a fireworks stand permit shall be submitted to the City Clerk on or after January 2<sup>nd</sup> and before May 1st for the applicable firework season calendar year and shall include the following:
  - a. Seasonal Retailers names, addresses and phone numbers.
    - i. Provide proof of Seasonal Retailer license issued by the State of Missouri, in accordance to RSMo 320.11.
  - b. Permit Fee. Any person who is applying for a fireworks stand permit shall provide with the application a fee of two thousand dollars (\$2,000.00) for a fireworks

stand of up to one thousand (1,000) square feet of retail space, or a fee of four thousand dollars (\$4,000.00) for a fireworks stand of over one thousand (1,000) square feet of retail space.

- i. Each site location of a fireworks stand shall require a separate permit and permit fees for a fireworks stand permit.
  - ii. The above fees shall apply to sales areas only. No fee shall apply to storage areas. Storage areas may include tractor trailers, trucks, vans, automobile trailers, or other permanent or temporary vehicles or structures.
  - iii. If the Planning and Zoning Commission does not approve the use for the location of the fireworks stand, the permit fee shall be refunded with the exception of fifty dollars (\$50.00) which is a portion of the processing costs incurred by the City. If the application is approved, then the total fee for the fireworks stand shall be retained by the City.
  - iv. In addition to the above fees, separate fees (where applicable) are required as part of the Itinerant Vendor License, Occupancy and Building Permits.
- c. Season Retailers are subject to comply strictly with the terms of this Chapter, the laws of the State of Missouri, St. Charles County, Fire District, and the City of St. Peters, Missouri.
- d. Cash Deposit. A cash deposit in the amount of one thousand dollars (\$1,000.00) shall accompany the application for each fireworks stand permit, which shall ensure compliance with the provisions of this Section, including, but not limited to, the removal of the stand, the cleaning and restoration of the site upon which it was located, and removal of all litter from the site upon termination. Such cash deposit shall be returned to the applicant upon certification by the Building Commissioner that all conditions of this Section have been complied with.
- e. Site Plan Of Fireworks Stand Required. Every application for a fireworks stand permit shall be accompanied with a site plan drawn to scale including, but not limited to, showing all structures on the property, both permanent and temporary, parking areas, storage areas, portable restrooms, electrical power pole locations, and other structures or improvements related to the stand. The site plan must indicate the dimensions of the property and the exact location of all structures, including distances from property lines and between structures.
- f. Letter Of Authorization From Property Owner. A letter from the owner of the property on which the stand or tent is located, authorizing the operation of a fireworks stand or tent on the property and that the site plan has been approved, dated not earlier than sixty (60) days prior to the date of the application.
- g. Proof Of Sales Tax Registration. Every application for a fireworks stand permit for firework sales in the City of St. Peters, shall be accompanied by a Retail Sales Tax License issued by the Missouri Department of Revenue Taxation Division



showing proof that the business is properly registered to remit sales inside the city limits of St. Peters.

- h. Certificate of No Tax Due. A current and valid Certificate of No Tax Due issued by the Missouri Department of Revenue Taxation Division shall be submitted to the City of St. Peters prior to approval of permit or license.
  - i. Proof Of Insurance. Every application for a fireworks stand permit shall be accompanied by a certificate of insurance showing specific coverage levels and shall be provided by the applicant prior to issuance of a Firework Stand Permit as follows:
    - (a) Injury including death.
      - i. One million dollars (\$1,000,000.00) one (1) person.
      - ii. Two million dollars (\$2,000,000.00) more than one (1) person.
    - (b) Property damage.
      - i. One million dollars (\$1,000,000.00) each occurrence.
      - ii. One million dollars (\$1,000,000.00) aggregate.
- B. Other License, Permit, and Inspections Required.** Any applicant shall, in addition to applying for and paying any fees associated with an application for a fireworks stand permit, also apply for and pay any fees and costs associated with the following:
- 1. **Itinerant Vendor License.** An itinerant vendor license is required for commercial sales by any person engaging in a temporary business, for the purpose of conducting such business, occupies or uses any parcel of land, building, tent, room, apartment, shop, store, structure, or uses a vehicle parked on premises where said person does not have the exclusive right of possession under ownership, lease or rental agreement, or any other non-permanent location or other place within the City. Refer to Section 605.185, for Itinerant Vendor License Requirements and Fees.
  - 2. **Occupancy Permit.** An occupancy permit is required in accordance to building and licensing requirements and shall include an occupancy inspection fee in accordance to Attachment A, Schedule of Fees, in Title V Building and Construction.
  - 3. **Tents – Permit Required for Each.** A separate building permit is required for each temporary tent structure. The Building Official shall be allowed to inspect the Fireworks Stand and such Fireworks Stand shall comply with current State and local codes relative to temporary structure. All stands shall be erected in a manner that will reasonably ensure the safety of all occupants, patrons, and surrounding property.
    - a. Each tent must be certified as flame retardant in accordance to NFPA 701.
    - b. A permit fee shall be paid for each permit in accordance to Attachment A, Schedule of Fees, in Title V Building and Construction.

4. **Planning and Zoning Approval.** Planning Commission approval required for temporary businesses. No fireworks stand shall be permitted until the Planning and Zoning Commission approves the site, use for the property in which it is to be located, and off-street parking requirements for Fireworks Stand.
5. **Temporary Sign Permit.** In accordance to Section 405.750, Temporary Signs, of the City Code, all temporary signs must be authorized by a temporary sign permit. In addition, shall meet the following requirements:
  - a. No pennants, streamers, balloons, searchlights, strobe or moving lights, beacons, inflatable signs are permitted;
  - b. No signage may be attached to non-commercial vehicles;
  - c. Signage may not extend above or beyond the limits of the primary structure or the commercial vehicle(s) associated with the business;
  - d. All signage must be attached to the primary structure being used for the sale of fireworks or to a commercial vehicle being used as storage or an integral part of the operation;
  - e. One (1) or more signs reading "Fireworks — No Smoking" shall be displayed at all places where fireworks are stored or sold, in lettering not less than four (4) inches in height.

Nothing in this Chapter shall obviate the need from receiving permits from any other Federal, state or local governmental entity.

#### **Section 630.040      Fireworks Stand Regulations.**

- A.** Validity Of Permit. A fireworks stand permit shall be valid for twenty (20) days prior to the start of the fireworks season through ten (10) days after the end of the fireworks season. No advertising, temporary structures or tents shall be erected prior to the validity date of the permit, and all advertising, temporary structures or tents shall be deconstructed and removed prior to the end of the permit.
- B.** Firework Season. Sales Shall Only Occur During Fireworks Season as defined in this chapter. A permitted fireworks stand may only sell fireworks during the fireworks season. No sales shall occur outside of fireworks season or shall be made by any person who is not permitted by the City.
- C.** No Sale Of Non-Consumer Fireworks. No person shall sell or offer to sell non-consumer fireworks within the City.
- D.** Employees Or Workers. No applicant shall employ or allow any person under the age of

sixteen (16) years of age to work the fireworks stand. An applicant shall ensure that there is at least one (1) supervisory personnel who is over the age of twenty-one (21) years of age to supervise all workers of the fireworks stand.

- E.** No Alcoholic Beverages Permitted. No alcoholic beverages shall be consumed on the premises of the fireworks stand.
- F.** No Open Flame Or Smoking Permitted. No open flame or smoking shall be permitted within thirty (30) feet of the fireworks stand or storage.
- G.** Sufficient emergency lighting and exits shall be provided as follows:
  - 1. Exit signs to be self-luminous or illuminated (required if open for business after dark)
  - 2. Emergency lighting required in sales areas of 800 sq. ft. or greater (not required if not open after dusk)
- H.** Required Fire Extinguishers as follows:
  - 1. Minimum of 2 (2A minimum), at least one pressurized water type
  - 2. Location of less than 200 Sq. Ft.: minimum of 1 (2A minimum)
  - 3. Maximum travel distance to an extinguisher: 35 feet
  - 4. All in accessible locations

All employees shall be adequately trained in the use of fire extinguishers. Water barrels and buckets may be used in addition to the required number of fire extinguishers.

- I.** A portable restroom shall be required if there are no restrooms available on the site. The portable restroom must be placed out of sight and as far away from the main roadway as possible. The restroom location shall be shown on the site plan required, per section 630.030.
- J.** Each fireworks stand must be kept in a clean and orderly manner and have trash removal service.
- K.** It shall be unlawful for any seasonal retailer to sell or attempt to sell fireworks to any minor within the municipal boundaries of the City except when such minor is in the presence of a parent or guardian.
- L.** Authorized representatives of the City shall from time to time make a health and safety inspection of the publicly accessible areas of each Firework Stand in the City for the purpose of determining that the provisions of this Chapter are being met. It shall be unlawful for any permittee to fail to allow such inspection personnel such access to the premises or to hinder such personnel in any manner regarding such inspections.
- M.** All fireworks stands must be inspected and approved and monitored by the Fire Marshal of the local fire district. A copy of the Fire Marshal's certificate of inspection shall be provided to the City prior to the sale of fireworks.

- N. Fireworks shall not be stored, kept, or sold within fifty feet (100') of any gasoline pump, gasoline filling station, gasoline bulk station, or any building in which gasoline or volatile liquids are sold in quantities in excess of one (1) gallon.
- O. It is unlawful to explode or ignite consumer fireworks within six hundred feet (600') of any church, hospital, mental health facility, or school or within one hundred feet (100') of any firework stand.

**SECTION NO. 2. Effective Date.**

This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

**SECTION NO. 3. Savings.**

Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

**SECTION NO. 4. Severability.**

If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer valid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

Read two times, passed and approved this 22nd day of February, 2024.

\_\_\_\_\_  
Len Pagano, As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
          , City Clerk

**RBA FORM (OFFICE USE)**

MEETING DATE: January 25, 2024

Regular (X) Work Session (X)

ATTACHMENT: YES (X) NO ( )

Contract ( ) Ordinance ( ) Other (X)

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**Request for Board Action  
By Mayor**

**Ward** 1 ( ) 2 ( ) 3 ( ) 4 ( ) All Wards (X)

**Brief Description:** Discussion regarding proposed State legislation to eliminate the taxation of retail sales on food, which would have a considerably negative budget impact on the City of St. Peters.

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**Staff:** Recommended (x) Not recommended ( ) No Position ( )

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**Summary/Explanation:** It has been brought to the attention of elected officials that the Missouri General Assembly currently has introduced six bills to eliminate the collection of sales tax on food items without proposing a clear or feasible plan to replace lost revenue.

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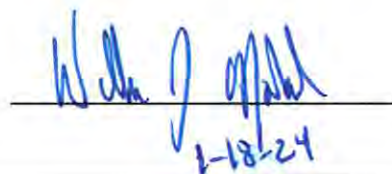
**Budget Impact:** (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)

**A negative impact of \$7.8 million dollars in annual sales tax revenue, or over 6% of the city's budget.**

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RBA requested by: Mayor Len Pagano

CA: William J. Malach



RESOLUTION NO.

**A RESOLUTION URGING SENATORS AND REPRESENTATIVES OF THE MISSOURI GENERAL ASSEMBLY TO OPPOSE ANY LEGISLATION OR PROPOSAL TO ELIMINATE THE TAXATION OF RETAIL SALES ON FOOD**

**WHEREAS**, the City of St. Peters, Missouri's elected and appointed officials maintain steadfast stewardship of the public's finances by efficiently and effectively balancing revenues and expenses; and

**WHEREAS**, over 36 percent of the City of St. Peters, Missouri's annual revenue is generated by the taxation on the retail sale of goods and services within its boundaries; and

**WHEREAS**, sales tax revenue plays a crucial role in sustaining critical local municipal services and infrastructure such as police and support staff, snow removal, low cost waste and recycling services, recreational programs, playgrounds, summer camps, road and sidewalk repair, and more; and

**WHEREAS**, approximately \$7.8 million dollars in annual sales tax revenue in the City of St. Peters, Missouri, or over 6 percent of the City's budget, is collected from the imposition of sales tax on food items; and

**WHEREAS**, senators and representatives in the Missouri General Assembly have collectively introduced six bills to eliminate the collection of sales tax on food items without proposing a clear or feasible plan to replace lost revenue; and

**WHEREAS**, the proposed elimination of municipal sales tax on food products poses a significant threat to the financial stability and operational capacity of the City of St. Peters, Missouri, neighboring cities, and all counties, villages, townships, and municipalities in the State of Missouri; and

**WHEREAS**, the elimination of this revenue stream would have a harmful impact on the quality of life for the City's residents as the funding for essential services and infrastructure would be significantly reduced; and

**WHEREAS**, maintaining the current tax structure on food items is critical to ensure balanced budgets for local governments, enabling the City of St. Peters, Missouri and neighboring communities to continue providing necessary services and fulfilling their responsibilities to residents and businesses.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. PETERS, MISSOURI, AS FOLLOWS:**

**Section 1:** The City of St. Peters, Missouri Board of Aldermen recognizes the necessity of maintaining municipal sales tax on food items to sustain critical local government services.

**Section 2:** The City of St. Peters, Missouri Board of Aldermen calls on the senators and representatives of the Missouri General Assembly to oppose any legislation or proposal seeking the elimination of municipal sales tax on food products. In doing so, securing the safety and welfare of Missouri residents and safeguarding the financial viability of local governments across the state.

**Section 3:** The City of St. Peters, Missouri Board of Aldermen urges neighboring municipalities to educate its state elected officials and residents on the negative effects of eliminating the taxation of retail sales on food.

**Section 4:** The City of St. Peters, Missouri Board of Aldermen directs the City Administrator to forward a copy of this Resolution to senators and representatives of the Missouri General Assembly representing the St. Charles County region.

**Section 5:** This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

Read and adopted this 25<sup>th</sup> day of January, 2024.

\_\_\_\_\_  
Len Pagano, As Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
Lisa Schroeder, Deputy City Clerk

**RBA FORM (OFFICE USE)**

MEETING DATE: January 25, 2024

Regular ( ) Work Session ( X )

ATTACHMENT: YES ( X ) NO ( )

Contract ( ) Ordinance ( ) Other ( X )

**Request for Board Action  
By Staff**

Ward 1 ( ) 2 ( ) 3 ( ) 4 ( ) All Wards ( X )

**Brief Description:** An ordinance authorizing the City Administrator to execute the upfit of WES CCTV Truck 434 (Quote # Q04867) by competitive negotiations.

**Staff:** Recommended ( X ) Not recommended ( ) No Position ( )

**Summary/Explanation:** Recommendation to proceed with the sole source, factory authorized dealer, EJ Equipment, Inc., for the upfit (new control room box and camera system) of CCTV truck 434. EJ Equipment, Inc. agreed to honor their 2023 quotation for the 2024 calendar year, if executed by the end of February 2024. Please refer to the attached recommendation memorandum for further detail.

**Budget Impact:** (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.) The upfit of CCTV truck 434 was planned in the 5-yr CIP, and \$300,000 is budgeted in FY24 Water/Sewer Fund (CAP EXP - VEHICLES). This contract recommendation is for \$279,863. The cost breakdown is:

	<u>Cost</u>	<u>Budget</u>
CCTV Truck 434 Upfit	\$279,863	\$300,000

RBA requested by: Zraddock 1/14/24 CA: William J. Maher 1-18-24





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**INTEROFFICE MEMORANDUM**

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**TO:** AMY HADDOCK  
**FROM:** JUSTIN WHITE  
**SUBJECT:** EJ CUES TRUCK #434 UPFIT  
**DATE:** JANUARY 12, 2024  
**CC:**

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**Recommendation:** The purpose of this memorandum is to request approval to enter into an agreement with EJ Equipment, Inc. for the upfit of Vehicle #434 based on competitive negotiations. Vehicle #434 is due for replacement in FY24, as shown in the 5-year CIP. Traditionally, we would have replaced the entire vehicle, however, the existing truck chassis was evaluated by Fleet and determined to be in good condition. Therefore, we negotiated the upfit of Vehicle #434 with EJ Equipment, with an equipment trade-in allowance of \$10,000, for a total proposed cost of \$279,863. Per the CIP, \$300,000 is budgeted in 700-4800/4850-58600.

**Background:** Per the CIP, Vehicle #434 is due for replacement in FY24, as the equipment needs to be upgraded. The cost of a full replacement is approximately \$400,000. The Fleet Department determined the truck chassis is in good condition, and staff negotiated with EJ Equipment to retrofit or upfit the existing chassis with new CUES camera control room box and associated equipment.

The proposed upfit includes the installation of a new camera control room box and associated equipment on the existing 434 truck chassis, including:

- Traffic Warning Lights
- Control Room Box with exterior lighting
- HVAC Unit
- Camera wash-down system
- Diesel generator
- System engineering panel
- Sewer camera with wheel kit and control computer
- 1,000-foot cable assembly
- EJ transporting the truck to and from St. Peters Water Plant to CUES for the upfit
- Field training for City crew in St. Peters

The proposed cost includes an equipment trade-in allowance of \$10,000, for a total proposed cost of \$279,863 for the upfit of Vehicle 434. We budgeted \$300,000 in FY24 for the vehicle replacement split 50% between accounts 700-4800-58600 and 700-4850-58600.

WES staff has worked with CUES equipment for over 20 years and it has performed reliably and we are well trained on operation and maintenance. EJ Equipment, Inc. is the sole factory authorized dealer for CUES equipment for Eastern Missouri, for repairs and parts. EJ indicated that CUES would hold their 2023 pricing for this work (to occur after completion of SSES camera work), if we execute the agreement by February 29, 2024.

Attachment:

Departmental Requisition  
EJ Equipment, Inc. - Quotation  
Sole Source Letter

**RBA FORM (OFFICE USE)**

MEETING DATE: January 25, 2024

Regular ( ) Work Session (X)

ATTACHMENT: YES ( ) NO (X)

Contract ( ) Ordinance ( ) Other ( )

**Request for Board Action  
By Staff**

Ward 1 ( ) 2 ( ) 3 ( ) 4 ( ) All Wards (X)

**Brief Description:** Request to solicit bids for the procurement of asphaltic concrete materials for City street repairs and various projects from Fred Weber, Simpson Materials and Missouri Petroleum.

**Staff:** Recommended (X) Not recommended ( ) No Position ( )

**Summary/Explanation:** Since Fred Weber, Simpson Materials are the only two suppliers of hot mix asphaltic concrete in St. Louis region, and additionally Missouri Petroleum can provide quotes for cold mix asphaltic concrete and tack oil, staff requests permission to directly solicit price quotes from these suppliers and waive the normal purchasing requirement to advertise for bids.

**Budget Impact:** (revenue generated, estimated cost, CIP item, budgeted, non-budgeted etc.)  
The City annually budgets approximately \$1.3 million for the procurement of asphaltic concrete materials for use by City forces for street repairs and various City Projects.

RBA requested by: Burt Benesek, Manager/TDS

C.A. William J. Malach

  
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 1-19-24  
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