



# CITY OF ST. PETERS BOARD OF ALDERMEN

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TENTATIVE AGENDA FOR REGULAR MEETING  
ST. PETERS JUSTICE CENTER, 1020 GRAND TETON DRIVE, ST. PETERS, MO 63376

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MAY 14, 2020 – 6:30 P.M.

- A. Call to Order, Mayor Len Pagano
- B. Roll Call
- C. Opening Ceremonies
  - 1. Invocation
  - 2. Pledge of Allegiance
  - 3. Proclamation: National Nurses Week
- D. Approval of Minutes: The [Board of Aldermen Work Session meeting of April 23, 2020](#); and the [Regular Board of Aldermen meeting of April 23, 2020](#).
- E. Reports of Officers, Boards and Commissions
  - 1. Mayoral Report of Appointments to Boards and Commissions
  - 2. City Administrator's Report:
  - 3. Report of Director, Planning, Community and Economic Development:
  - 4. St. Peters Business Spotlight: None
- F. Open Forum
  - 1. Citizens Petitions and Comments
  - 2. Communications from the Elected Officials
  - 3. Announcements
- G. Public Hearings: None
- H. Unfinished Business Items: None

I. New Business Items:

1. [Bill No. 20-44](#): Bill authorizing the City Administrator of the City of St. Peters to execute a contract with Schowalter & Jabouri, P.C. for Auditing Services
2. [Bill No. 20-45](#): Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a Contract Change Order with Insituform Technologies for Cured-In-Place Pipe (CIPP) lining of certain storm sewer and sanitary sewer lines
3. [Bill No. 20-46](#): Bill of the City of St. Peters, Missouri, authorizing the declaration of a state of emergency by the Mayor due to the COVID-19 Pandemic; and authorizing the Mayor and City Administrator to take certain actions resulting therefrom
4. [Bill No. 20-47](#): Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract for Employee and Applicant Medical Testing
5. [Resolution](#) of the City of St. Peters, Missouri, protesting and opposing the rezoning requested in Application No. RZ20-04 for property located at 1 Illy Drive

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

K. Adjournment

AGENDA Posted at City Hall: May 11, 2020 at 9:00 a.m.

By: P. Smith, City Clerk

**Revised & Posted: May 13, 2020 at 3:00 p.m.**

**By: L. Schroeder, Deputy City Clerk**

**Removed: New Business Items I.5 & I.6**

**Added: New Business Item I.5**

Next Regular Board of Aldermen Meeting: May 28, 2020



CITY OF ST. PETERS BOARD OF ALDERMEN  
WORK SESSION MINUTES  
April 23, 2020

The Work Session was called to order at approximately 5:45 p.m. on Thursday, April 23, 2020 at the St. Peters Justice Center located at 1020 Grand Teton Drive. Patty Smith, City Clerk, called the roll. The following were present: Mayor Pagano; Board President Bateman; Alderman Barclay; Alderman Reimer; Alderman Townsend; Alderman Reitmeyer; Alderman Trupiano; Alderman Violet. Staff present include Rick Struttmann, Police Chief; Russ Batzel, City Administrator; John Young, City Attorney, and Patty Smith, City Clerk. Alderman Hollingsworth was absent.

#### COMMUNICATIONS FROM BOARD MEMBERS/ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

#### BOA ITEMS FOR DISCUSSION

Alderman Reimer moved and Alderman Townsend seconded the motion to remove Discussion to Consider Laying Hens from the agenda for discussion. The motion was approved.

#### DISCUSSION TO CONSIDER LAYING HENS – TOWNSEND/REIMER

Alderman Townsend began discussion to consider allowing laying hens in the City of St. Peters. She stated that circumstances in our world have changed since the previous Board discussion in 2011 and would like to review the information that was provided to the Board of Aldermen prior to tonight's meeting. Alderman Townsend said this common sense approach is similar to what many area cities currently allow. The proposed procedure to accommodate neighbors would be similar to the City's Home Occupancy or Pet Avocation ordinances. Restrictions, Homeowner Associations, and why she and Alderman Reimer are addressing laying hens now was addressed. Alderman Townsend introduced a presentation by Julie Powers on the contents of the proposed ordinance. Ms. Powers slideshow presentation was on the following: Why Hens; Benefits of Hens; Potential Concerns with Hens; Proposed Ordinance. The slideshow is attached and made a part of these minutes.

Comments and questions were addressed with the draft ordinance concerning the 75-foot notification and 75% approval by adjacent property owners; why not 100% approval; enforcement; introducing this at a future joint work session with the Planning and Zoning Commission and Board of Adjustment meeting. A suggestion was made to possibly contact the University of Missouri Extension for information; and possibly consider a certain tract of land/acreage in city limits where people can raise their own hens.

After deciphering that a full consensus was not evident to move forward with presenting at the next Planning and Zoning Commission meeting for review and discussion, Board President Bateman agreed with the prior suggestion to possibly postpone for a future joint Planning & Zoning and Board of Adjustment meeting with the Board of Aldermen. This will also give time to see if this topic has support from residents. Alderman Townsend agreed to postpone discussion for now, but to consider laying hens for a future meeting discussion as suggested. **No further Board of Aldermen action is required on this item at this time.**

Alderman Barclay moved and Alderman Reitmeyer seconded the motion to remove Discussion/Temporary Stop Sign on Kimberly Drive and Bellemeade Drive at Tot Lot Park from the agenda for discussion. The motion was approved.

#### DISCUSSION/TEMPORARY STOP SIGN ON KIMBERLY DRIVE AND BELLEMEADE DRIVE AT TOT LOT PARK – BATEMAN

Alderman Bateman explained that more residents have expressed their concerns over speeding in the area of Kimberly Drive and Bellemeade Drive near the Tot Lot Park and would like to see a temporary stop sign put in place. Mr. Benesek explained City Code Sec. 335.100, where the Board of Aldermen can direct the City Administrator to have installed the temporary all-way stop sign; which has not met the Manual on Uniform Traffic Control Devices requirements. Mr. Benesek further explained that, with the Board of Aldermen approval, there would be a notice placed under the temporary signs stating that a permanent installation of a sign will be voted on at a future Board of Aldermen meeting. This will need to be in place for at least ten days to solicit public comment prior to further Board of Aldermen action. Alderman Bateman moved and Alderman Barclay seconded the motion to have temporary signs installed at Kimberly Drive and Bellemeade Drive and place this item on the May 28, 2020 Board of Aldermen Work Session meeting agenda for permanent installation consideration. The motion was approved. **This item will be placed on the May 28, 2020 Work Session meeting agenda for further consideration.**

#### MAYOR/CITY ADMINISTRATOR ITEM

#### UNFINISHED BUSINESS ITEMS:

None

#### NEW BUSINESS ITEMS:

Alderman Reitmeyer moved and Alderman Townsend seconded the motion to remove City Auditor Appointment Recommendation from the agenda for discussion. The motion was approved.

#### CITY AUDITOR APPOINTMENT RECOMMENDATION – BATZEL

Mr. Batzel explained that for the last five years, the City has had its audits completed by Schowalter & Jabouri, P.C. and their 5 year contract expired with the completion of the audit for the fiscal year ended September 30, 2019. Mr. Batzel recommended the City award Schowalter & Jabouri, P.C. a one year extension of contract. They are proposing the audit

fee for 2020 to be \$66,500; which represents a less than 2.5% increase from the prior year and the first increase in fees since 2011. No comments or questions from the Board of Aldermen. Alderman Bateman moved and Alderman Reimer seconded the motion to place this item on the May 14, 2020 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the May 14, 2020 Board of Aldermen meeting agenda for consideration.**

Alderman Violet moved and Alderman Reitmeyer seconded the motion to remove Sanitary Sewer CIPP Lining Change Order with Insituform Technologies from the agenda for discussion. The motion was approved.

#### SANITARY SEWER CIPP LINING CHANGE ORDER WITH INSITUFORM TECHNOLOGIES – MALACH

Mr. Malach explained the request for the first Sanitary Sewer CIPP Lining Change Order with Insituform Technologies. Insituform has agreed to hold their prices from the November 2019 bid for the 2020 fiscal year. This project includes 4,499 feet Cured-In-Place (CIPP) lining of 8-inch diameter sanitary sewer lines along with lining the first 22-inch of 114-laterals connecting to the public sanitary sewer main. The City's cost of this change order is \$297,777.50, bringing the revised contract value to \$537,512.50. The City's portion will be funded by the Water/Sewer and Sewer Lateral Funds. With Board approval, a draft ordinance will be placed on the May 14, 2020 Board of Aldermen meeting agenda for consideration. No comments or questions from the Board of Aldermen. Alderman Townsend moved and Alderman Bateman seconded the motion to place this item on the May 14, 2020 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the May 14, 2020 Board of Aldermen meeting agenda for consideration.**

#### MISCELLANEOUS UPDATES – BATZEL

None

#### BOARD MEETING AGENDA ITEM REVISIONS – BATZEL

None

#### EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

No Executive Session was called at this time.

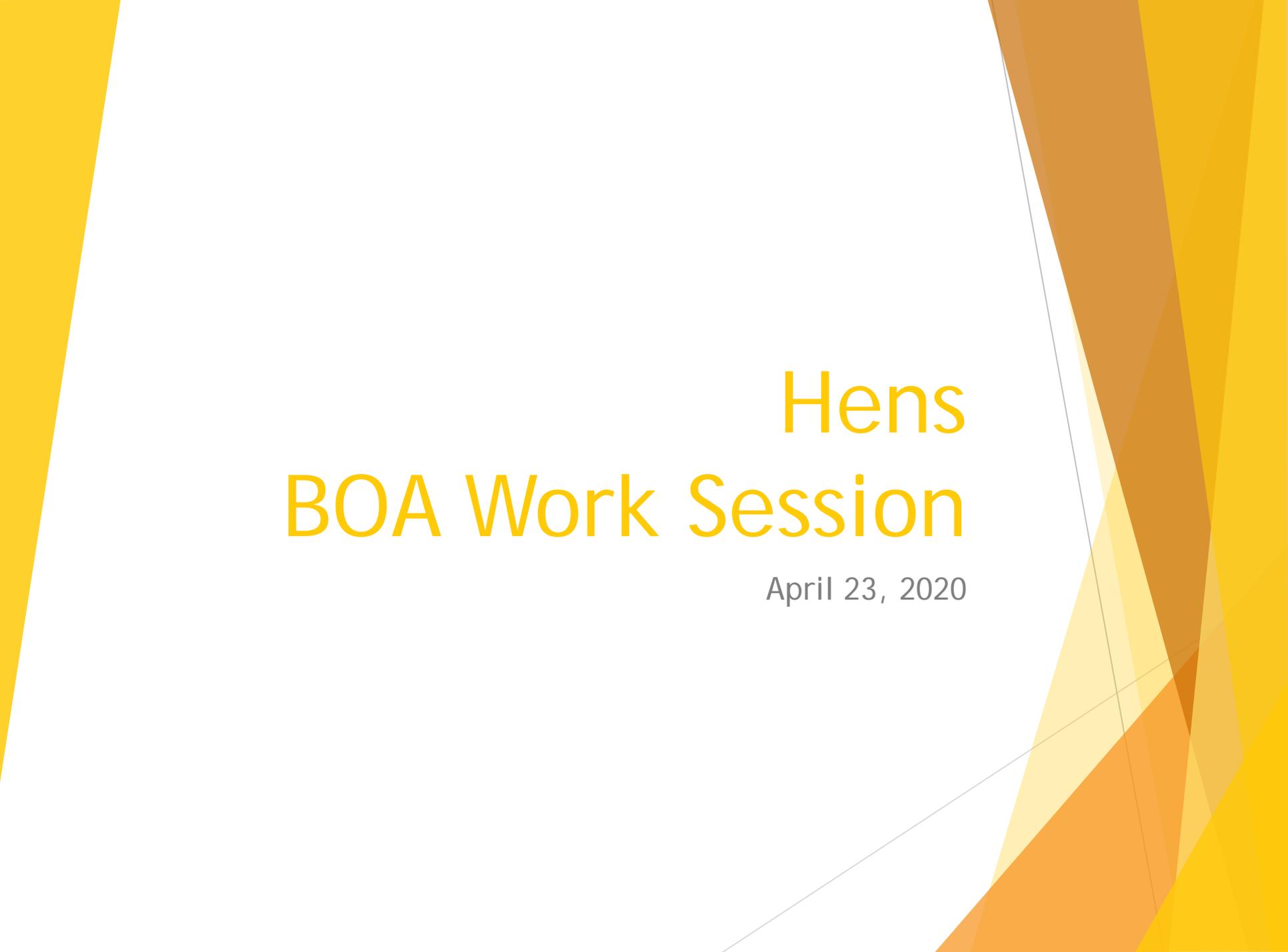
#### ADJOURNMENT OF THE WORK SESSION

Alderman Barclay moved and Alderman Townsend seconded the motion to adjourn the Work Session meeting. The motion was approved and the Work Session meeting was adjourned at approximately 6:56 p.m.

Submitted by,

Patricia E. Smith  
City Clerk

DRAFT



# Hens BOA Work Session

April 23, 2020

# Areas to Discuss

- ▶ Why Hens
- ▶ Benefits of Hens
- ▶ Potential Concerns with Hens
- ▶ Proposed Ordinance
- ▶ Questions



# Why Hens in St. Peters?

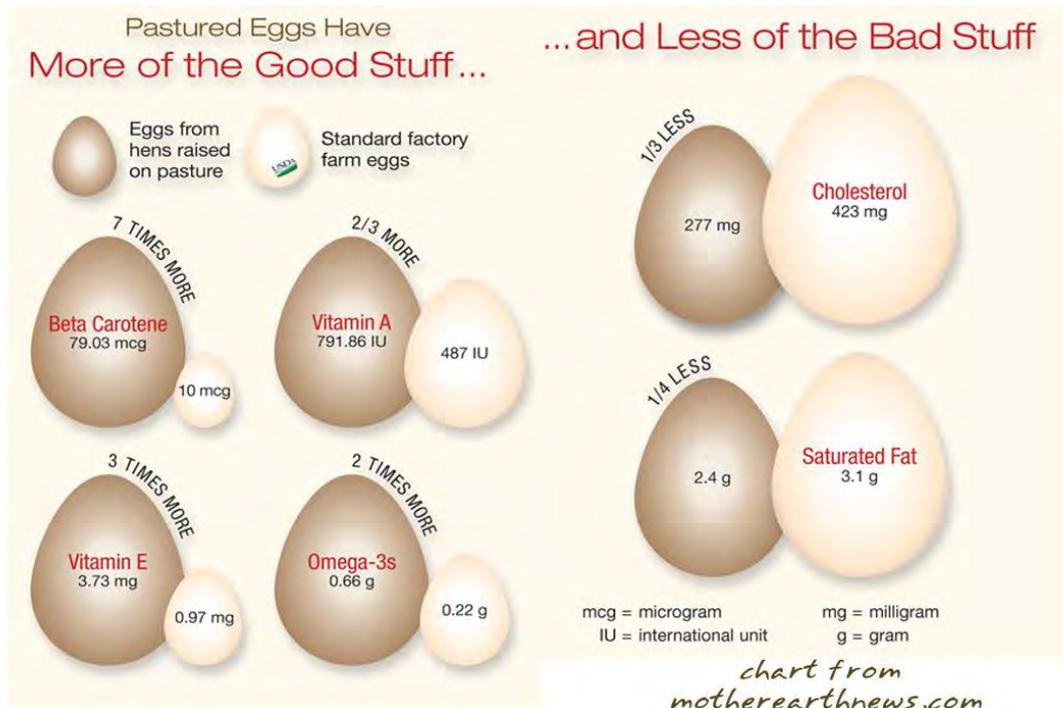
- ▶ Over the past decade numerous cities throughout the nation have begun to allow hens within residential settings.
- ▶ Some cities are adapting their codes to allow residents to live more sustainable lifestyles.
- ▶ People are looking to raise and grow their own food.

# Benefits of Hens

- Fresh Eggs
- Organic Fertilizer
- Reduces Solid Waste
- Natural Insect Repellent
- Fun Educational Pets



# Fresh Eggs



# Organic Fertilizer

- ▶ Hen manure is high in nitrogen and great for your compost pile.
- ▶ Must go through the composting process before used as a fertilizer
- ▶ The fertilizer created will not place harmful chemicals into the soil
- ▶ Draft ordinance requires removal or tilling of waste within 48 hours

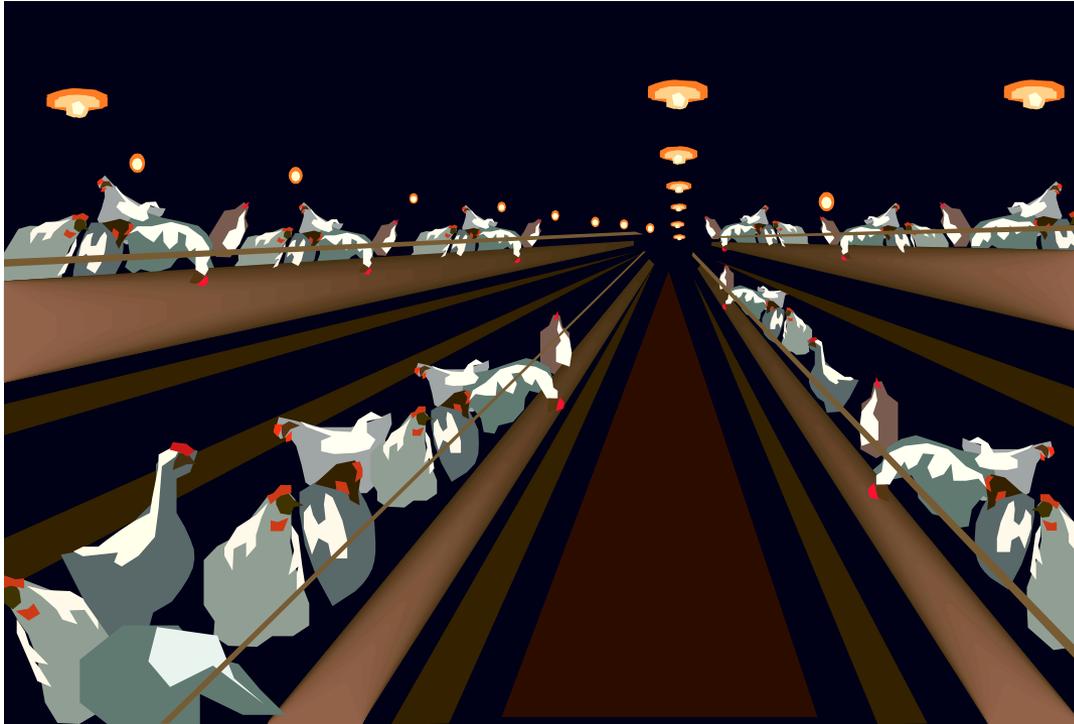


# Reduces Solid Waste

- ▶ Hens will eat fruit and vegetable scraps.
- ▶ They will also eat leftover eggs.
- ▶ This waste eventually turns into fertilizer that produces additional food.

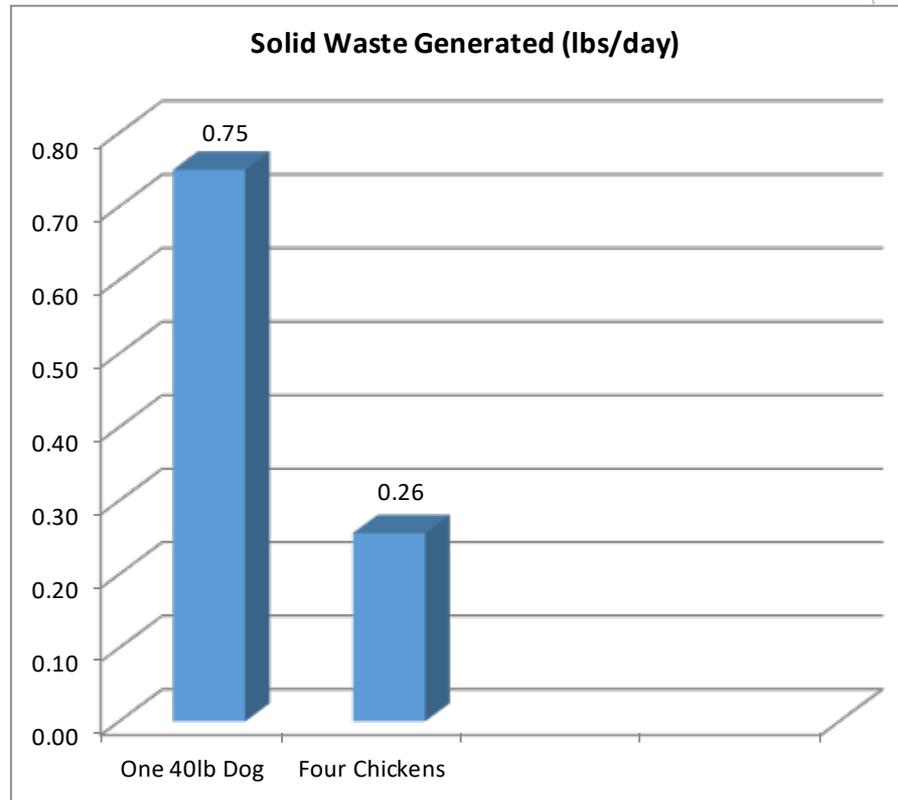


# Potential Concerns of Hens



# Waste and Odor Issues

- ▶ Hen manure is a valuable compost.
- ▶ Draft ordinance allows a maximum of 6 hens
- ▶ A limited number of hens generates less smell than most pets.



# Disease Potential

## ▶ Salmonella

- ▶ The Center for Disease Control and Prevention (CDC) states the biggest concern for raising hens is Salmonella poisoning.
- ▶ To prevent poisoning the CDC recommends
  - ▶ Using good personal sanitation
  - ▶ Preventing children younger than 5 years old from having close contact.
  - ▶ Cleaning the coops periodically

# Predators/Nuisance Animals

## ▶ Predators

- ▶ Birdfeeders, pet food, gardens, fish ponds and trash all attract wild animals.
- ▶ If hens are approved in the City, the code will require proper food storage and coops and pens

## ▶ Nuisance Animals

- ▶ Hens will eat insects and will eat mice if found in their coop

# Property Values

- ▶ No correlation between owning hens and lowering property values.
- ▶ High cost of living cities, such as New York City, Chicago, Denver, Portland, etc. all have allowed hens to be raised.
- ▶ Jane Leo, head of the Portland Metropolitan Realtors, stated in 2008 they have never had any conversations with their members related to negative impact of moving into a neighborhood where some hens are being raised.

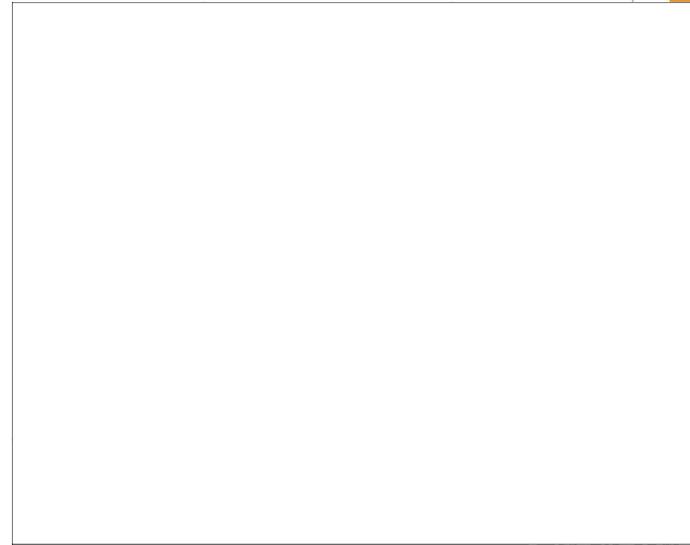
# Draft Ordinance

- Zoning District
- Number of Hens
- Enclosure requirements
- Slaughtering
- Permits
- Enforcement



# Zoning District

- ▶ Hens would only be allowed in single-family residential districts: R-1, R-1A and PUD with single-family.
- ▶ Hens will only be allowed in the rear yard of a residential property.



# Number of Hens

- ▶ Allow maximum of 6 hens per residential lot.
- ▶ No roosters would be allowed.
- ▶ No restrictions on hen species.



# Requirements

- ▶ Must be located 10 feet from the property line and 25 feet from a neighboring house.
- ▶ Hens must be located in a coop or pen at all times.
- ▶ Coops must include 4 square feet of space per hen - maximum of 32 square feet
- ▶ Pens must include 10 square feet of space per hen - maximum of 80 square feet
- ▶ Materials for the coop must be uniform for each element of the structure.
- ▶ Coops and pens must be screened from view with fencing or landscaping

# Requirements (continued)

- ▶ Enclosures would have to be kept in a clean, dry, neat and sanitary condition at all times.
- ▶ Coops would provide the following:
  - ▶ Ventilation
  - ▶ Adequate Sun/Shade
  - ▶ Impermeable to rodents, wild birds, predators, dogs and cats.
- ▶ Coops would provide for storage and removal of manure
  - ▶ Must be tilled or removed within 48 hours
- ▶ No slaughtering will be permitted
- ▶ No egg sales on the premises with the hen permit

# Examples of Coops



# Examples of Hen Tractors



# Permit

- ▶ Hen Permit would be required and include:
  - ▶ Plans for coops/pens - identify setbacks, materials, etc.
  - ▶ Notification of HOA
  - ▶ Notification of property owners within 75 feet; 75% must concur
  - ▶ Inspection of all coops and pens as needed



# Enforcement

- ▶ Permit
- ▶ Concern-based; ordinance states inspections can be as needed
- ▶ Existing ordinances already cover noise and odor
- ▶ Animal Control is reviewing other measures to address hen concerns

# Questions/next steps

- ▶ Public hearing; review by P&Z- June 3, 2020
- ▶ BOA final action - June 25, 2020



CITY OF ST. PETERS CITY HALL  
BOARD OF ALDERMEN REGULAR MEETING MINUTES  
APRIL 23, 2020

## CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 7:06 p.m. on April 23, 2020, at the St. Peters Justice Center located at 1020 Grand Teton Drive. Patty Smith, City Clerk, called the roll. Present were: Mayor Pagano; Alderman Barclay; Board President Bateman; Alderman Reimer; Alderman Reitmeyer; Alderman Townsend; Alderman Trupiano; Alderman Violet; Chief of Police, Rick Struttmann; City Administrator, Russ Batzel; City Attorney, John Young; and City Clerk, Patty Smith. Alderman Hollingsworth was absent. Steve Koeneman delivered the Invocation. Mayor led the Pledge of Allegiance.

## PROCLAMATION: FRONT LINE SOLDIERS OF THE COVID-19 PANDEMIC

Each member of the Board of Aldermen read a portion of the Proclamation honoring the Front Line Soldiers of the COVID-19 Pandemic. This includes doctors, nurses, hospital workers, public health workers, and first responders, for sacrificing their own health and well-being for the residents of St. Peters. Also, honoring the store clerks, stockers, register personnel, baggers, maintenance workers, truck drivers, warehouse personnel, and managers at our local grocery, drug and home improvement stores for helping to keep us fed and supplied with essentials during this extraordinary and critical time. For the residents, businesses, educational, religious, and other establishments in the City of St. Peters striving to comply with the Stay-at-Home order. Letters will be sent to the businesses this honors.

## PROCLAMATION: CITY OF ST. PETERS EMPLOYEES DURING GLOBAL PANDEMIC

Each member of the Board of Aldermen read a portion of the Proclamation honoring the City of St. Peters employees continuing to work during the global pandemic to provide essential and critical services while supporting the residents of the City of St. Peters. This proclamation will be posted in the Above & Beyond and Hometown publications.

## APPROVAL OF MINUTES: THE BOARD OF ALDERMEN WORK SESSION MEETING OF APRIL 9, 2020 AND THE REGULAR BOARD OF ALDERMEN MEETING OF APRIL 9, 2020

Alderman Reimer moved and Alderman Reitmeyer seconded the motion to approve the Board of Aldermen Work Session meeting minutes of April 9, 2020 and the Regular Board of Aldermen meeting minutes of April 9, 2020. All in favor, the motion carried and the minutes were approved.

## REPORTS OF OFFICERS, BOARDS AND COMMISSIONS

### MAYORAL REPORT OF APPOINTMENTS TO BOARDS AND COMMISSIONS

None

### CITY ADMINISTRATOR'S REPORT

None

REPORT OF DIRECTOR OF PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT

None

ST. PETERS BUSINESS SPOTLIGHT: NONE

OPEN FORUM

CITIZENS PETITIONS AND COMMENTS

None

COMMUNICATIONS FROM THE ELECTED OFFICIALS

Elected Officials made comments during this time.

ANNOUNCEMENTS

Mayor announced that Sunset Friday concerts will be recorded at the Performing Arts Theatre, Cultural Arts Centre, on Fridays starting on May 15<sup>th</sup> and broadcast on SPTV, Charter channel 992 or AT&T/U-Verse channel 99. Residents can also view the livestream at [sptvnow.net](http://sptvnow.net) or the City's webpage, [www.stpetersmo.net](http://www.stpetersmo.net). The shows will be rebroadcast throughout the week. Wade Trent will kick off the season on May 15 at 6:30 p.m. The remaining 2020 season will be announced soon with all the details.

Mayor announced the Memorial Day Ceremony will also be cancelled due to COVID-19 safety concerns. A special Memorial Day video will be airing on SPTV, Charter channel 992 or AT&T/U-Verse channel 99, on May 25, 2020 at 10:00 a.m. with footage from past events and pay tribute to those that gave the ultimate sacrifice for our country. Residents can also view the livestream at [sptvnow.net](http://sptvnow.net) or the City's webpage, [www.stpetersmo.net](http://www.stpetersmo.net).

Mayor stated that the Laurel Park and The Cove swimming pools will remain closed for the summer season.

Mayor announced that Celebrate St. Peters is currently cancelled due to contracts and agreements, but hopeful this may change in the future.

PUBLIC HEARINGS:

VOLUNTARY ANNEXATION – MIKULUS, 6 PATTY ANN COURT – POWERS

Ms. Powers presented the Voluntary Annexation of the Mikulus property located at 6 Patty Ann Court off Birdie Hills Road. Ms. Powers stated they are obtaining the City of St. Peters Sewer service. This item will be presented at the next Planning and Zoning meeting for setting of zoning and placed on the May 28, 2020 Board of Aldermen meeting agenda to finalize the annexation. Mayor Pagano opened the Public Hearing at 7:46 p.m., and asked anyone wishing to speak on this annexation to

please come forward. Seeing no one present to comment, Mayor Pagano closed the Public Hearing at 7:47 p.m.

UNFINISHED BUSINESS ITEMS: NONE

NEW BUSINESS ITEMS

MOTION/APPROVED: BILL NO. 20-40: ORDINANCE NO. 7294: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO, AMONG OTHER THINGS, EXECUTE AMENDMENT NO. 2 TO THE AGREEMENT WITH THE EAST CENTRAL MISSOURI WATER AND SEWER AUTHORITY FOR CERTAIN WASTE WATER AND SANITARY SEWAGE TREATMENT SERVICES

Alderman Reitmeyer moved and Alderman Trupiano seconded the motion to introduce the Bill. The motion carried. Alderman Reitmeyer moved and Alderman Trupiano seconded the motion to read Bill No. 20-40 for the first time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Townsend moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Barclay read the Bill. Alderman Reitmeyer moved and Alderman Barclay seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-40 passed becoming Ordinance No. 7294.

Barclay: Yes Reimer: Yes Hollingsworth: Absent Reitmeyer: Yes  
Trupiano: Yes Violet: Yes Bateman: Yes Townsend: Yes  
AYES: 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1 MAYOR:

MOTION/APPROVED: BILL NO. 20-41: ORDINANCE NO. 7295: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO EXECUTE AN AMENDMENT NO. 1 TO AGREEMENT FOR PROFESSIONAL SERVICES WITH BURNS & MCDONNELL ENGINEERING CO., INC. FOR ENGINEERING SERVICES 19-161 - HYDROGEN SULFIDE STUDY AT 370 PS NO. 2

Alderman Bateman moved and Alderman Trupiano seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Trupiano seconded the motion to read Bill No. 20-41 for the first time. The motion carried and Alderman Reimer read the Bill. Alderman Reitmeyer moved and Alderman Reimer seconded the motion to read the Bill for the second time. The motion carried and Alderman Townsend read the Bill. Alderman Barclay motioned to amend the agenda for a scrivener's error in the bill title; however, since the title on the bill was read correctly, the motion died for lack of a second. Alderman Trupiano moved and Alderman Reitmeyer seconded the motion to read the Bill for the third time. The motion carried and Alderman Townsend read the Bill. Alderman Reitmeyer moved and Alderman Reimer seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-41 passed becoming Ordinance No. 7295.

Barclay: Yes Reimer: Yes Hollingsworth: Absent Reitmeyer: Yes  
Trupiano: Yes Violet: Yes Bateman: Yes Townsend: Yes  
AYES: 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1 MAYOR:

MOTION/APPROVED: BILL NO. 20-42: ORDINANCE NO. 7296: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH CATHY MCDANIEL TRUCKING, LLC, FOR 2020 GENERAL HAULING

## SERVICES FOR THE CITY OF ST. PETERS ON AN AS-NEEDED BASIS

Alderman Reimer moved and Alderman Townsend seconded the motion to introduce the Bill. The motion carried. Alderman Reimer moved and Alderman Townsend seconded the motion to read Bill No. 20-42 for the first time. The motion carried and Alderman Trupiano read the Bill. Alderman Bateman moved and Alderman Townsend seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Reitmeyer moved and Alderman Bateman seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-42 passed becoming Ordinance No. 7296.

Barclay: Yes Reimer: Yes Hollingsworth: Absent Reitmeyer: Yes  
Trupiano: Yes Violet: Yes Bateman: Yes Townsend: Yes  
AYES: 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1 MAYOR:

MOTION/APPROVED: BILL NO. 20-43: ORDINANCE NO. 7297: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION STP-URBAN PROGRAM AGREEMENT FOR THE SPENCER ROAD RECONSTRUCTION AND SAFETY IMPROVEMENTS PROJECT (FEDERAL PROJECT NO. STP-7305(620))

Alderman Reimer moved and Alderman Trupiano seconded the motion to introduce the Bill. The motion carried. Alderman Reimer moved and Alderman Trupiano seconded the motion to read Bill No. 20-43 for the first time. The motion carried and Alderman Bateman read the Bill. Alderman Bateman moved and Alderman Reitmeyer seconded the motion to read the Bill for the second time. The motion carried and Alderman Reitmeyer read the Bill. Alderman Bateman moved and Alderman Barclay seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-43 passed becoming Ordinance No. 7297.

Barclay: Yes Reimer: Yes Hollingsworth: Absent Reitmeyer: Yes  
Trupiano: Yes Violet: Yes Bateman: Yes Townsend: Yes  
AYES: 7 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1 MAYOR:

EXECUTIVE SESSION RE: LITIGATION, REAL ESTATE AND PERSONNEL, PURSUANT TO SECTION 610.021 (1)(2)(3)(9)(12)(13)(14) & 610.022 (1-6)

No Executive Session called at this time.

## ADJOURNMENT

Alderman Violet moved and Alderman Townsend seconded the motion to adjourn the Regular Board of Aldermen meeting. Motion approved and the Regular Board of Aldermen meeting adjourned at approximately 7:56 p.m.

Respectfully submitted,

Patricia E. Smith  
City Clerk

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS TO EXECUTE A CONTRACT WITH SCHOWALTER & JABOURI, P.C. FOR AUDITING SERVICES

WHEREAS, the conduct of audits of local governments by independent auditors is necessary in the development of sound financial management practices, and

WHEREAS, independent audits provide for an objective and professional analysis of the way public monies are managed and expended, and

WHEREAS, the Single Audit Act of 1984 requires an independent audit of the City's annual financial statements,

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

SECTION NO. 1. That the City Administrator be and he is hereby authorized to enter into a contract with Schowalter & Jabouri, P.C. for auditing services for fiscal year 2019-20.

SECTION NO. 2. That the contract terms shall be negotiated based upon the April 6, 2020 extension proposal submitted by Schowalter & Jabouri P.C., in the initial amount of \$66,500 (attached hereto), the March 2, 2015, the April 14, 2010 extension proposal, and the City's Request for Qualifications dated June 29, 2007.

SECTION NO. 3. This ordinance shall be in force and take effect from and after its date of final passage and approval.

Read two times, passed and approved this 14th day of May, 2020.

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

Attest: \_\_\_\_\_  
Scott Baumgartner, Deputy City Clerk



# SCHOWALTER & JABOURI, P.C.

Certified Public Accountants & Advisors

April 6, 2020

The Honorable Mayor and  
Members of the Board of Aldermen  
The City of St. Peters  
One St. Peters Centre Blvd.  
St. Peters, Missouri 63376

Dear Honorable Mayor and Members of the Board of Aldermen:

The audit for the year ended September 30, 2019 was the final year of our agreement for providing audit services to the City. I hope you have been pleased with the services we have provided. We sincerely appreciate our relationship with the City and consider you a very important client to us. We would be pleased if you would consider an extension for our firm to continue to provide your City with auditing services.

We believe that it is in the best interest of the City to retain an independent audit firm that has a thorough understanding of the City's unique accounting systems, policies and personnel, and has a proven track record of serving the City well. Changing audit firms is difficult and very costly to the City in terms of staff time because it usually takes several years for City staff to "train" a new audit firm about the City's unique characteristics. Further, it deprives your City of the benefits of having an independent auditor with seasoned, in-depth knowledge of your City, their procedures, personnel and overall direction. We firmly believe that the only appropriate motive for changing independent accountants is dissatisfaction with the quality of service being rendered. With the continuing challenges facing governmental entities in general and especially at this time with the uncertainties brought about by the COVID-19 pandemic, I believe it is in the best interest of the City to continue our relationship. Therefore, for your consideration, I have prepared this letter extending our agreement for auditing services, for one year, the year ending September 30, 2020.

Due to the current difficult economic conditions brought on by recent events, Schowalter & Jabouri, P.C. is committed to helping by minimizing our audit fees. Therefore, I am proposing the audit fee for 2020 to be \$66,500 which represents a less than 2.5% increase from the prior year and the first increase we have had in our fees since 2011. We hope this demonstrates to you how much we value our relationship and our desire to maintain our relationship.

If you approve, please sign below and return to us. Thank you for the opportunity to present this extension proposal. We look forward to continuing to work with the City.

Yours very truly,

James K. Torti, CPA, CFE, CGMA  
Shareholder

Page 2  
The City of St. Peters, Missouri  
April 6, 2020

RESPONSE:

This letter correctly sets forth the understanding of The City of St. Peters, Missouri. By signing below, the signatory further represents and warrants that she/he is authorized to approve the terms of this letter on behalf of The City of St. Peters, Missouri.

Approved By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT CHANGE ORDER WITH INSITUFORM TECHNOLOGIES FOR CURED- IN- PLACE PIPE (CIPP) LINING OF CERTAIN STORM SEWER AND SANITARY SEWER LINES

WHEREAS, the City of St. Peters encompasses a land area of approximately 22 square miles and contains more than 166 miles of storm sewer pipe as part of the storm water collection and conveyance system and more than 249 miles of sanitary sewer pipe as part of the sanitary sewer collection system; and

WHEREAS, the City solicited bids for the Cured-In-Place Pipe (CIPP) lining of various storm sewer and sanitary sewer lines; and

WHEREAS, competitive bids were received from three (3) firms, and

WHEREAS, the bid was awarded to Insituform Technologies, and

WHEREAS, Insituform Technologies is willing to accept additional work at the negotiated bid unit prices for the FY20 sewer rehabilitation program.

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

SECTION 1. That the City Administrator of the City of St. Peters, Missouri be and he is hereby authorized to enter into a contract change order with Insituform Technologies in the initial amount of \$297,777.50 for cured-in-place lining (CIPP) for various storm sewer and sanitary sewer lines. Upon approval of the City Administrator the initial contract amount shall be adjusted as necessary based on the final measured quantities at the negotiated unit prices bid in the contract.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said contract on behalf of the City of St. Peters.

SECTION 3. The Project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide, and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration (“OSHA”) or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the Project commences. On-site employees

No.

found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation. Non-compliance with this ordinance will be investigated and adjudicated by the Department of Labor and Industrial Relations pursuant to RSMo 292.675.

SECTION 4. Savings Clause. 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, unless expressly set forth herein.

SECTION 5. Severability Clause. 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION 6. This ordinance shall be in full force and take effect from and after the date of its final passage and approval.

Read two times, passed and approved this 14<sup>th</sup> day of May, 2020.

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

Attest: \_\_\_\_\_  
Scott Baumgartner, Deputy City Clerk

No.

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF ST. PETERS, MISSOURI, AUTHORIZING THE DECLARATION OF A STATE OF EMERGENCY BY THE MAYOR DUE TO THE COVID-19 PANDEMIC; AND AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO TAKE CERTAIN ACTIONS RESULTING THEREFROM

WHEREAS, COVID-19 is an infectious disease that can result in mild or severe symptoms, is highly contagious, and is spread through close contact between persons and respiratory transmission; and

WHEREAS, the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and

WHEREAS, on March 13, 2020, Governor Michael L. Parson declared a State of Emergency in Missouri to assist with the State's response to COVID-19; and

WHEREAS, on March 13, 2020, the St. Charles County Executive declared that a State of Emergency exists in St. Charles County, Missouri, with respect to COVID-19; and

WHEREAS, on April 29, 2020, the St. Charles County Executive extended the declaration of the State of Emergency in St. Charles County until such declaration is amended, modified, or rescinded by further Order of the County Executive; and

WHEREAS, pursuant to Section 79.380, RSMo., the Board of Aldermen of the City of St. Peters “may make regulations and pass ordinances for the prevention of the introduction of contagious diseases in the city, and for the abatement of the same, and may make quarantine laws and enforce the same within five miles of the city...;” and

WHEREAS, pursuant to Section 44.090, RSMo., “[a]t the time of significant emergency ... the highest ranking official of any political subdivision ... may render aid to or request aid from any jurisdiction, agency, or organization even without written agreement, as long as he or she is in accordance with the policies and procedures set forth by the governing boards of those jurisdictions, agencies, or organizations;” and

WHEREAS, the Board of Aldermen deems it to be in the benefit of the health, safety and general welfare of the residents of the City to declare a State of Emergency within the City; and

WHEREAS, the declaration of a State of Emergency within the City will enable the Mayor and City Administrator to render and request necessary aid for dealing with COVID-19;

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

SECTION NO. 1. Emergency Declaration. That the form, terms and provisions of the Emergency Declaration (the “Declaration”) attached hereto, marked as **Exhibit “A”**, and incorporated by reference herein, be and they hereby are, in all respects approved, and that the Mayor is hereby authorized, empowered and directed to execute the Declaration, in substantially the form attached hereto. The Mayor and City Administrator are hereby further authorized and directed for and on behalf of and in the name of the City to do any and all other acts and things necessary to comply with the Declaration, and implement the procedures of Chapter 44, RSMo., Chapter 220 of the St. Peters City Code, and all other applicable laws and ordinances relating to the State of Emergency. Any and all acts which the Mayor and City Administrator may do or perform in conformance with the powers conferred upon them by this Ordinance are hereby expressly authorized, approved, ratified and confirmed.

SECTION NO. 2. 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, unless expressly set forth herein.

SECTION NO. 3. 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 invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

SECTION NO. 4. Effective Date.

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

Read two times, passed, and approved this 14th day of May, 2020.

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Len Pagano, as Presiding Officer and as Mayor

Attest: \_\_\_\_\_  
Scott Baumgartner, Deputy City Clerk

**EXHIBIT A**  
**EMERGENCY DECLARATION**

WHEREAS, according to the St. Charles County Department of Public Health and the St. Charles County Regional Emergency Management Agency, there have been confirmed and presumptive positive cases of COVID-19 throughout St. Charles County; and

WHEREAS, COVID-19 can result in mild or severe symptoms, is highly contagious, and is spread through close contact between persons and respiratory transmission; and

WHEREAS, COVID-19 poses a serious health risk, particularly for individuals who are elderly or have compromised immune systems; and

WHEREAS, the first known case of COVID-19 in the State of Missouri was identified on March 7, 2020; and

WHEREAS, Missouri Governor Michael L. Parson has declared a State of Emergency in Missouri to assist with the State's response to this health threat and St. Charles County Executive Steve Ehlmann has declared a State of Emergency in St. Charles County relating to COVID-19; and

WHEREAS, the resources of the State of Missouri and the United States will be needed to assist in a joint incident response; and

WHEREAS, an invocation of the provisions of Chapter 44 of the Revised Statutes of Missouri and Chapter 220 of the St. Peters City Code is required to ensure the protection of the safety and welfare of the residents of the City of St. Peters;

NOW, THEREFORE, I, Len Pagano, Mayor of the City of St. Peters, Missouri, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, and the Ordinances of the City of St. Peters, do hereby declare that a State of Emergency exists in the City of St. Peters, Missouri. This order is effective for the operational period beginning March 1, 2020, and shall continue until the Governor of the State of Missouri issues a proclamation terminating the State of Emergency.

Signed this \_\_\_\_ day of May, 2020.

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Len Pagano, Mayor

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT FOR EMPLOYEE AND APPLICANT MEDICAL TESTING

WHEREAS, the City of St. Peters is desirous of providing the best possible medical testing services for its employees and job applicants; and

WHEREAS, the City, competitively marketed the it's medical testing services for proposals; and

WHEREAS, proposals were evaluated for medical testing for a one year period with the option to renew annually for three additional one-year periods.

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

SECTION NO. 1. That the City Administrator of the City of St. Peters be and he is hereby authorized to execute a contract with Mercy Occupational Health for medical testing services for City employees and job applicants, at the prices shown on Exhibit 1 on file in the City Clerk's office, effective May 15, 2020.

SECTION NO. 2 That the City Administrator be and he is hereby authorized to negotiate, execute and administer said contract on behalf of the City.

SECTION NO. 3 This Ordinance shall take effect and be in force from and after the date of its final passage and approval.

Read two times, passed and approved this 14<sup>h</sup> day of May, 2020.

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

Attest: \_\_\_\_\_  
Scott Baumgartner, Deputy City Clerk

Exhibit 1

(on file in the City Clerks Office)

## RESOLUTION NO.

A RESOLUTION OF THE CITY OF ST. PETERS, MISSOURI, PROTESTING  
AND OPPOSING THE REZONING REQUESTED IN APPLICATION NO.  
RZ20-04 FOR PROPERTY LOCATED AT 1 ILLY DRIVE

WHEREAS, Section 64.140, RSMo., and Section 405.535(B)(3) of the Unified Development Ordinance of St. Charles County, Missouri (the “UDO”), provide for legally recognized remonstrances to applications for zoning amendments; and

WHEREAS, Section 405.535(B)(3) of the UDO states that “in cases where the land affected lies within one and one-half (1½) miles of the corporate limits of a municipality having in effect ordinances zoning property within the corporate limits of such municipality, made by resolution of the City Council or Board of Trustees thereof, and filed with the County Registrar, such change, revision, or amendment may not be passed except by five (5) of the seven (7) members of the County Council”; and

WHEREAS, the property subject to Application Number PZ20-04 (the “Application”) and located at 1 Illy Drive (the “Property”) is immediately adjacent to and lies within one and one-half (1 ½) miles of the corporate limits of the City of St. Peters, Missouri; and

WHEREAS, the City of St. Peters has in effect ordinances zoning property within the corporate limits of the City; and

WHEREAS, the City of St. Peters has a substantial interest in the zoning designation and use of unincorporated pockets of St. Charles County that are in close proximity to the corporate limits of the City of St. Peters and which have significant and broad-ranging impacts on the use and enjoyment of property, economic development, and the orderly development of the City; and

WHEREAS, the Property is currently zoned A/FF/FW, Agricultural District, with Floodway and Floodway Fringe Overlay Districts; and

WHEREAS, the Application proposes to rezone the Property to the C-2, General Commercial District; and

WHEREAS, the Property is bordered on the east, west and north by the City of St. Peters, and on the south by the City of Cottleville and, therefore, is an unincorporated island; and

WHEREAS, the City of St. Peters has zoned all property to the east, west and north of the Property as R-1, Single Family Residential, or P-1, Parks; and

WHEREAS, many of the uses permitted in the County’s C-2, General Commercial District would interfere with the single-family residences adjacent to the Property; and

WHEREAS, St. Charles County’s 2030 Master Plan recommends that the Property be used for parks or open space, which would be complementary to the single-family residential uses adjacent to the Property; and

WHEREAS, the approval of the Application would be inconsistent with the planned growth and development of the area as envisioned by the City of St. Peters and St. Charles County, and conflict with the goals set forth in the St. Charles County Master Plan Envision 2030 and the Comprehensive Plan of the City of St. Peters; and

WHEREAS, the Board of Aldermen of the City of St. Peters finds and determines that the rezoning and proposed use of the Property consistent with the Application is unreasonable and contrary to the health, safety and general welfare of the residents of the City.

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

SECTION NO. 1. That the Board of Aldermen of the City of St. Peters, Missouri, hereby protests and opposes the rezoning of the property at 1 Illy Drive proposed by Application Number PZ20-04.

SECTION NO. 2. That the City Clerk is directed to file a certified copy of this Resolution with the St. Charles County Registrar.

SECTION NO. 3. That the Board of Aldermen of the City of St. Peters requests that the St. Charles County Planning and Zoning Commission recommend denial of the Application and that the St. Charles County Council deny the Application.

SECTION NO. 4. This Resolution shall take effect upon its adoption by the Board of Aldermen of the City of St. Peters, Missouri.

Read and adopted this 14th day of May, 2020.

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

Attest: \_\_\_\_\_  
Scott Baumgartner, Deputy City Clerk