



# 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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SEPTEMBER 24, 2020 – 6:30 P.M.

- A. Call to Order, Mayor Len Pagano
- B. Roll Call
- C. Opening Ceremonies
  - 1. Invocation
  - 2. Pledge of Allegiance
- D. Approval of Minutes: The [Board of Aldermen Work Session meeting of September 10, 2020](#); and the [Regular Board of Aldermen meeting of September 10, 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:
    - a. [Voluntary Annexation – Foster, 1 Pine Drive](#) – Powers
  - 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:
  - 1. [Proposed Tax Rates for Calendar Year 2020](#) – Gardner
- H. Unfinished Business Items: None

I. New Business Items:

1. [Bill No. 20-100](#): Bill establishing the Ad Valorem Taxes for All Real and Tangible Personal Property within the City of St. Peters, for the period of January 1, 2020 to December 31, 2020
2. [Bill No. 20-101](#): Bill Authorizing the City Administrator of the City of St. Peters, Missouri to execute Contract Change Order No. 3 with M & H Concrete Contractors, Incorporated for the 2020 Concrete Slab Replacement Program
3. [Bill No. 20-102](#): Bill annexing Certain Adjacent Territory (Foster, 1 Pine Drive) into the City of St. Peters, Missouri
4. [Bill No. 20-103](#): Bill amending Certain Sections of the Corporate Limits and Zoning District Map of the City of St. Peters, Missouri, in response to a Voluntary Annexation of Property (Foster, 1 Pine Drive)
5. [Bill No. 20-104](#): Bill authorizing the City Administrator of the City of St. Peters, Missouri to enter into a contract with Dehart Recycling Equipment for the purchase and installation of a conveyor system at St Peters Central Materials Processing Facility
6. [Bill No. 20-105](#): Bill providing for the Vacation of Utility Easements on Adjusted Lot 6 of the Boundary Adjustment of Lots 6 and 7 of Premier 370 Plat 2, as recorded in Plat Book 49 49 Pages 234-241 at the St. Charles County Recorder of Deeds
7. [Bill No. 20-106](#): Bill directing the City Administrator of the City of St. Peters, Missouri, to execute a certain amendment to Development Agreement dated as of August 27, 2020, with CRG – St Peters 2020, LLC and St Peters 2020 LLC

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: September 21, 2020 at 9:00 a.m.

By: P. Smith, City Clerk

**Revised and Posted: September 23, 2020 at 4:00 p.m.**

**By: P. Smith, City Clerk**

**Added Business Item I-07**

Next Regular Board of Aldermen Meeting: October 8, 2020



CITY OF ST. PETERS BOARD OF ALDERMEN  
WORK SESSION MINUTES  
September 10, 2020

The Work Session was called to order at approximately 5:00 p.m. on Thursday, September 10, 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; Alderman Barclay; Alderman Bateman; Alderman Reimer; Alderman Sartorius; Alderman Townsend; Alderman Trupiano; Alderman Violet. Staff present includes: Cathy Pratt, Staff Support Services Manager; Burt Benesek, Transportation Development Services Manager; Rick Struttman, Police Chief; Russ Batzel, City Administrator; John Young, City Attorney; and Patty Smith, City Clerk. Board President Reitmeyer was absent. Alderman Bateman was presiding Board President during Alderman Reitmeyer's absence.

COMMUNICATIONS FROM BOARD MEMBERS/ALDERMANIC REPRESENTATIVES

Committee reports were given during this time.

BOA ITEMS FOR DISCUSSION

No items were discussed.

MAYOR/CITY ADMINISTRATOR ITEM

Unfinished Business Items: None

New Business Items:

Alderman Townsend moved and Alderman Violet seconded the motion to remove Recommendation/ 2020 Concrete Slab Replacement Change Order from the agenda for discussion. The motion was approved.

RECOMMENDATION/ 2020 CONCRETE SLAB REPLACEMENT CHANGE ORDER –  
BENESEK

Mr. Benesek presented a slideshow requesting approval to execute a contract change order with M & H Concrete Contractors for removal and replacement of an additional 1,750 square yards of concrete pavement. The initial contract of \$1,153,613.20 and two previous change orders in the total value of \$52,710.96; now with a proposed change order of \$78,370.00 (change order no. 3) will account for adjustments to the contract quantities for work completed based on final field measurements for replacement along Laurelwood Drive and Kirkwood Court, which addresses multiple pavement condition concerns on file. With approval, an authorizing ordinance will be placed on the September 24, 2020 BOA agenda. Comments were made and questions from the Aldermen were addressed. Alderman Reimer

moved and Alderman Trupiano seconded the motion to place this item on the September 24, 2020 Board of Aldermen meeting agenda for consideration. All in favor, the motion was approved. **This item will be placed on the September 24, 2020 Board of Aldermen meeting agenda for consideration.**

Alderman Bateman moved and Alderman Reimer seconded the motion to remove City Code 615 Body Art Establishments Amendment from the agenda for discussion. The motion was approved.

#### CITY CODE 615 BODY ART ESTABLISHMENTS AMENDMENT – BENESEK

Mr. Benesek introduced Ms. Claire Toledo, Health Supervisor, who presented a slideshow of this item. Ms. Toledo explained the update to Chapter 615 from Tattoo Establishments to Body Art Establishments. The changes model the National Environmental Health Association (NEHA), who has come up with a model Body Art Code, and is available nationwide for states and cities to adopt. The Code will apply to all popular forms of body art; incorporates regulations for the use of piercing guns and application of permanent cosmetics; allows the City's Health Department to regulate health and safety standards in all body art establishments, not just tattoo establishments; additional proposed fees for re-inspections, similar to the food code. Ms. Toledo also discussed establishing facility record keeping requirements; the biggest changes for the operators, required training for artists; and conversations with operators in the industry. A proposed amendment to the license titles in Chapter 605 under the Licensing fee schedule will be necessary in conjunction Chapter 615 code amendments. Questions from the Aldermen were addressed concerning the notification process of these code amendments to these business types. Alderman Townsend moved and Alderman Violet seconded the motion to place this item on the September 24, 2020 Board of Aldermen meeting agenda. The motion was approved. **This item will be placed on the September 24, 2020 Board of Aldermen meeting agenda for consideration.**

Alderman Reimer moved and Alderman Trupiano seconded the motion to remove Secretary of State/Records Retention Schedule from the agenda for discussion. The motion was approved.

#### SECRETARY OF STATE/RECORDS RETENTION SCHEDULE – SMITH

City Clerk Smith stated that the Destruction of Records forms provided in this evening's meeting packet necessitate being entered and made a part of the minutes of the Board of Aldermen for September 10, 2020. Alderman Bateman moved and Alderman Trupiano seconded the motion to accept the City Clerk's report regarding the Destruction of Record forms that are provided in the Work Session packet and to be entered into the September 10, 2020 meeting minutes of the Board of Aldermen Work Session. The motion was approved. **No further Board of Aldermen action is required on this item.**

#### 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 Bateman moved and Alderman Violet seconded the motion to adjourn the Work Session meeting. The motion was approved and the Work Session meeting was adjourned at approximately 5:41 p.m.

Submitted by,

Patricia E. Smith  
City Clerk

DRAFT



City of St. Peters - Records Management  
**RECORDS DESTRUCTION FORM**

Page 1 of 1

Department Name: <b>TDS - Health Department</b>		Total # of Boxes: <b>1</b>
Department Records Coordinator: <b>Jo Ann Morris</b>		
Date: <b>08/04/20</b>	Office Address: <b>131 Ecology Dr</b>	Telephone: <b>ext. 1340</b>

**Caution:** A record may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated before the expiration of the retention period. The record must be retained until completion of the action and the resolution of all issues that arise from it, or until the expiration of the retention period, whichever is later. The schedule establishes only a minimum period of retention. Before retaining a record longer than the minimum time required, however, the office should be certain that it has good reason to do so.

Department Records Coordinator: <i>[Signature]</i>	Date: <b>8-4-20</b>	Date of Records Destruction: <b>9/2/20</b>
Group Manager: <i>[Signature]</i>	Date: <b>8/21/20</b>	Destruction Method: Shredding <input checked="" type="checkbox"/> Discard <input type="checkbox"/> Outside Vendor <input type="checkbox"/>
Date of BOA Minutes: <b>9/10/2020</b>		

**Request for Department Destruction**

- I certify that these OFFICIAL RECORD COPIES are past the retention period specified by the Missouri Secretary of State Records Retention Schedule and that all audit and administrative requirements have been satisfied.
- I certify that no HOLD has been placed on these OFFICIAL RECORDS due to any litigation, claim, negotiation, audit, or open records requests and that all administrative requirements have been satisfied.

Required Approval Signature	
City Clerk: <i>[Signature]</i>	Date: <b>8/21/20</b>

**Note:** Please read the instructions on page 3 concerning Departmental Records Destruction.

User Box #	Retention Schedule Records Item #	Description of Records	Inclusive Year(s)	Retention Period	Medium
TDS - Health1	0801	Food Handler Inspection Records	2014	5 yrs after approved inspection	P

**0773**

Also Called:  
Receipts

Check  
Receipts  
Disbursements  
Note  
Application

**Data Entry Coding**

Record of transactions to be entered in computer database files (used for updating files such as financial accounting maintenance)

5 years after all defects have been corrected  
Destroy

**0774**

Also Called:  
Receipts  
Checks  
Receipts  
Reference  
Disbursement  
Note  
Application

**Remittance Advices**

5 years  
Destroy

**0801**

Also Called:  
Receipts  
Checks  
Receipts  
Reference  
Disbursement  
Note  
Application

**Food Handler Inspection Records**

5 years after approved inspection  
Destroy

**Parks and Recreation Records**

**1001**

Also Called:  
Receipts  
Checks  
Receipts  
Reference  
Disbursement  
Note  
Application

**Maintenance: Parks, Parkways, and Recreation Areas**

5 years  
Destroy

**Forestry and Landscaping Records**

**1010**

Also Called:  
Receipts  
Checks  
Receipts  
Reference  
Disbursement  
Note  
Application

**Tree and Shrub Planting and Maintenance File**

Records describing the planting and maintenance of trees and shrubs on city-owned property

May include tree and shrub location, type, date of planting, and maintenance  
Permanent as updated or revised  
Destroy outdated material



CITY OF ST. PETERS CITY HALL  
BOARD OF ALDERMEN REGULAR MEETING MINUTES  
SEPTEMBER 10, 2020

CALL TO ORDER

Mayor Pagano called the Board of Aldermen meeting to order at approximately 6:30 p.m. on September 10, 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; Alderman Bateman; Alderman Reimer; Alderman Sartorius; Alderman Townsend; Alderman Trupiano; Alderman Violet; Chief of Police, Rick Struttmann; City Administrator, Russ Batzel; City Attorney, John Young; and City Clerk, Patty Smith. Board President Reitmeyer was absent. Steve Koeneman delivered the Invocation. Air Force inductees Michaelle Ancho and Andrew Robinson led the Pledge of Allegiance.

RECOGNITION: GFOA DISTINGUISHED BUDGET PRESENTATION AWARD PROGRAM, ERIN GARDNER

Alderman Bateman presented Erin Gardner, Financial Analyst, the Distinguished Budget Presentation Award from the Government Finance Officers Association.

OATH OF OFFICE: EDWARD B. KROPP, POLICE OFFICER

Chief Struttmann administered the Ceremonial Oath of Office to Police Officer Edward B. Kropp. Officer Kropp introduced his family in attendance.

OATH OF OFFICE: AIR FORCE RECRUITS

Two Air Force recruits sworn in by Lieutenant Colonel John Gonzalez, retired. Master Sergeant Dean introduced the recruits Michaelle Ancho and Andrew Robertson. Alderman Violet read and presented each recruit with a certificate of recognition.

PROCLAMATION: CONSTITUTION WEEK, SEPTEMBER 17 – 23, 2020

Alderman Townsend presented the St. Charles Chapter of Daughters of the American Revolution (DAR) with the Proclamation recognizing Constitution Week as September 17-23, 2020.

APPROVAL OF MINUTES: THE BOARD OF ALDERMEN WORK SESSION MEETING OF AUGUST 27, 2020; THE REGULAR BOARD OF ALDERMEN MEETING OF AUGUST 27, 2020; AND FY'21 BUDGET UPDATE WORK SESSION MEETING OF JUNE 4, 2020

Alderman Bateman moved and Alderman Trupiano seconded the motion to approve the Board of Aldermen Work Session meeting minutes of August 27, 2020; the Regular Board of Aldermen meeting minutes of August 27, 2020; and the FY'21 Budget Update Work Session Meeting of June 4, 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

### VETERANS MEMORIAL COMMISSION APPOINTMENT

Alderman Violet read the following nomination for appointment as member of the Veterans Memorial Commission: Victor Ponce, 1214 Colby Drive, St. Peters (Ward 3); for the term effective immediately and expiring December 31, 2021. Mr. Ponce will be filling the vacancy of Michael Sanchez, who resigned. Alderman Townsend moved and Alderman Barclay seconded the motion to approve the appointment. All in favor, the motion carried and the appointment was approved.

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

PUBLIC HEARINGS:

### PROPOSED BUDGET AND WATER AND SEWER RATES FOR FISCAL YEAR 2021 - GARDNER

Ms. Erin Gardner, Financial Analyst for the City of St. Peters, spoke about the proposed budget and water and sewer rates for the 2021 Fiscal Year.

"Thank you Mayor and Board. You all put a lot of time and effort in with City staff to develop a balanced budget that provides a great financial plan for the City.

As you know, we began our financial planning process for the CIP and budget back in January. We had a budget update work session last month, and the next step in the process is to adopt the CIP and budget. The Draft FY'21 Budget is available on the City's website, and it has all of the line item budgets and all of the ordinances in draft form that will be needed to adopt this budget.

Tonight is another opportunity for the public to come forward and comment on the various revenue and expense line items in the budget and the proposed water and sewer rates for FY'21. Our combined water and sewer rates continue to be significantly lower than all the other providers in St. Charles County.

The proposed budget that is in front of you tonight and for the public to comment on has city-wide funds available of \$123.2 million and total uses of funds of \$104.9 million.

The proposed ordinances associated with the FY'21 budget are scheduled to be approved at today's Board of Aldermen meeting. The final step in the process will be the adoption of the 2020 tax rate at the September 24th Board of Aldermen meeting. Unless you have any questions of me at this time, I will step aside to provide an opportunity for the public to comment. Please note, this is a comment period only and not an opportunity for us to respond directly to questions or concerns. If anyone has any questions, they may contact City Hall during regular business hours.

Mayor Pagano opened the floor for Public Hearing comments at 7:18 p.m. and inquired if there were any comments or concerns. Being no comments, Mayor Pagano closed the Public Hearing at 7:18 p.m.

UNFINISHED BUSINESS ITEMS: None

NEW BUSINESS ITEMS:

MOTION/APPROVED: BILL NO. 20-92: ORDINANCE NO. 7345: AN ORDINANCE APPROVING A CAPITAL IMPROVEMENT PLAN FOR THE CITY OF ST. PETERS

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. 20-92 for the first time. The motion carried and Alderman Reimer read the Bill. Alderman Barclay moved and Alderman Violet seconded the motion to read the Bill for the second time. The motion carried and Alderman Sartorius read the Bill. Alderman Reimer moved and Alderman Townsend seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-92 passed becoming Ordinance No. 7345.

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

MOTION/APPROVED: BILL NO. 20-93: ORDINANCE NO. 7346: AN ORDINANCE AMENDING ORDINANCE NO. 7184, ORDINANCE NO. 7198, AND ORDINANCE NO. 7278 PROVIDING FOR THE ADOPTION OF THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT FUND, COUNTY SEWER LATERAL REPAIR PROGRAM FUND, LOCAL PARKS AND STORM WATER FUND, SEWER LATERAL REPAIR PROGRAM FUND, TRANSPORTATION TRUST FUND, WATER SERVICE LINE REPAIR PROGRAM FUND, 370 LAKESIDE PARK FUND, ENVIRONMENTAL SERVICES FUND, GOLF AND BANQUET CENTER FUND, RECREATION FUND, AND WATER/SEWER FUND BUDGETS FOR THE CITY OF SAINT PETERS FOR FISCAL YEAR COMMENCING ON OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020.

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. 20-93 for the first time. The motion carried and Alderman Barclay read the Bill. Alderman Bateman moved and Alderman Trupiano seconded the motion to read the Bill for the second time. The motion carried and Alderman Bateman read the Bill. Alderman Bateman moved and Alderman Reimer seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-93 passed becoming Ordinance No. 7346.

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

MOTION/APPROVED: BILL NO. 20-94: ORDINANCE NO. 7347: AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE GENERAL FUND, DEBT SERVICE FUND, COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT FUND, COUNTY SEWER LATERAL REPAIR PROGRAM FUND, LOCAL PARKS AND STORM WATER FUND, SEWER LATERAL REPAIR PROGRAM FUND, TRANSPORTATION TRUST FUND, WATER SERVICE LINE REPAIR PROGRAM FUND, 370 LAKESIDE PARK FUND, ENVIRONMENTAL SERVICES FUND, GOLF AND BANQUET CENTER FUND, RECREATION FUND, AND WATER/SEWER FUND BUDGETS FOR THE CITY OF SAINT PETERS FOR FISCAL YEAR COMMENCING ON OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

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. 20-94 for the first time. The motion carried and Alderman Violet read the Bill. Alderman Barclay moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Trupiano read the Bill. Alderman Townsend moved and Alderman Violet seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-94 passed becoming Ordinance No. 7347.

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

MOTION/APPROVED: BILL NO. 20-95: ORDINANCE NO. 7348: AN ORDINANCE AMENDING SECTION 235.090.B.1 OF THE CODE OF THE CITY OF ST. PETERS, MISSOURI RELATING TO THE SOLID WASTE SERVICE RATES

Alderman Trupiano moved and Alderman Reimer seconded the motion to introduce the Bill. The motion carried. Alderman Trupiano moved and Alderman Reimer seconded the motion to read Bill No. 20-95 for the first time. The motion carried and Alderman Townsend read the Bill. Alderman Townsend moved and Alderman Reimer seconded the motion to read the Bill for the second time. The motion carried and Alderman Reimer read the Bill. Alderman Barclay moved and Alderman Trupiano seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-95 passed becoming Ordinance No. 7348.

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

MOTION/APPROVED: BILL NO. 20-96: ORDINANCE NO. 7349: AN ORDINANCE AMENDING SECTIONS 705.040 AND 710.260 OF THE CODE OF THE CITY OF ST. PETERS, MISSOURI RELATING TO THE WATER AND SEWER RATES

Alderman Violet moved and Alderman Reimer seconded the motion to introduce the Bill. The motion carried. Alderman Violet moved and Alderman Reimer seconded the motion to read Bill No. 20-96

for the first time. The motion carried and Alderman Sartorius read the Bill. Alderman Violet moved and Alderman Trupiano seconded the motion to read the Bill for the second time. The motion carried and Alderman Barclay read the Bill. Alderman Sartorius moved and Alderman Reimer seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-96 passed becoming Ordinance No. 7349.

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

MOTION/APPROVED: BILL NO. 20-97: ORDINANCE NO. 7350: AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO AGREEMENTS PROVIDING FOR ACQUISITION OF RIGHTS-OF-WAY, ROADWAY MAINTENANCE AND UTILITY EASEMENTS, AND/OR TEMPORARY CONSTRUCTION EASEMENTS FOR THE CENTENNIAL GREENWAY, PHASE 4 PROJECT, FEDERAL PROJECT NO. TAP 7305-618 (GOODMAN, HAHN/HENSLEY, KIEFER, KLEVORN, RUDOLPH, ROONEY, FLOWERS, STANDING, BARRON)

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. 20-97 for the first time. The motion carried and Alderman Barclay read the Bill. Alderman Townsend moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Violet read the Bill. Alderman Townsend moved and Alderman Sartorius seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-97 passed becoming Ordinance No. 7350.

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

MOTION/APPROVED: BILL NO. 20-98: ORDINANCE NO. 7351: AN ORDINANCE APPROVING A RECORD PLAT WITHIN THE CITY OF ST. PETERS, MISSOURI, FOR THE PURPOSE OF RECORDING IN ST. CHARLES COUNTY, MISSOURI (RESUBDIVISION OF READJUSTED LOT 6 AND PARCEL WITHIN LOT 6 OF THE BOUNDARY ADJUSTMENT PLAT OF LOTS 6 AND 7 OF PREMIER 370 BUSINESS PARK PLAT TWO)

Alderman Violet moved and Alderman Sartorius seconded the motion to introduce the Bill. The motion carried. Alderman Violet moved and Alderman Sartorius seconded the motion to read Bill No. 20-98 for the first time. The motion carried and Alderman Trupiano read the Bill. Alderman Reimer moved and Alderman Bateman seconded the motion to read the Bill for the second time. The motion carried and Alderman Townsend read the Bill. Alderman Townsend moved and Alderman Trupiano seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-98 passed becoming Ordinance No. 7351.

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

MOTION/APPROVED: BILL NO. 20-99: ORDINANCE NO. 7352: AN ORDINANCE APPROVING A

RECORD PLAT WITHIN THE CITY OF ST. PETERS, MISSOURI, FOR THE PURPOSE OF RECORDING IN ST. CHARLES COUNTY, MISSOURI (SONSHIP PLANTATION)

Alderman Bateman moved and Alderman Reimer seconded the motion to introduce the Bill. The motion carried. Alderman Bateman moved and Alderman Reimer seconded the motion to read Bill No. 20-99 for the first time. The motion carried and Alderman Reimer read the Bill. Alderman Trupiano moved and Alderman Sartorius seconded the motion to read the Bill for the second time. The motion carried and Alderman Sartorius read the Bill. Alderman Trupiano moved and Alderman Violet seconded the motion to put the Bill to a final vote. Motion approved and Bill No. 20-99 passed becoming Ordinance No. 7352.

Barclay: Yes Reimer: Yes Sartorius: Yes Reitmeyer: Absent  
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 Townsend moved and Alderman Bateman seconded the motion to adjourn the Regular Board of Aldermen meeting. Motion approved and the Regular Board of Aldermen meeting adjourned at approximately 7:37 p.m.

Respectfully submitted,

Patty Smith  
City Clerk

**NOTICE OF INTENT TO ESTABLISH ZONING  
CLASSIFICATION OF NEWLY ANNEXED PROPERTY**

The Planning and Zoning Commission of the City of St. Peters will hold a public hearing at 6:30 p.m. on Wednesday September 2, 2020 at the St. Peters Justice Center. The Justice Center is located at the intersection of Suemandy Drive and Grand Teton Drive. The Planning and Zoning Commission may recommend and the Board of Aldermen may enact by ordinance the zoning classification for the newly annexed property briefly described below. A complete legal description of the property is available for review at City Hall.

All interested citizens will have an opportunity to give written and oral comment. Senior citizens are encouraged to attend and comment. Persons with disabilities needing assistance should contact the government before the meeting by calling or writing to the City Administrator P.O. Box 9, St. Peters Missouri, 63376, Ph: 477-6600 or 278-2244 extension 1670.

<b>Owner</b>	<b>Description</b>	<b>Approximate Acreage</b>	<b>Recommended Zoning</b>
Foster	1 Pine Drive <ul style="list-style-type: none"> <li>• Lot 21 of West Side Addition to St. Mary's Subdivision as recoded in Book 7 Page 11 at the St. Charles County Recorder's Office.</li> </ul>	0.45+/-	R-1 Single-Family Residential

A detailed legal description of this property is available at St. Peters City Hall, One St. Peters Centre Boulevard.

Done by order of the Board of Aldermen.

*Patricia Smith*

Patricia Smith, City Clerk

## NOTICE OF PUBLIC HEARING

A public hearing will be held at 6:30 p.m., September 24, 2020 at the St. Peters Justice Center, 1020 Grand Teton Drive, Saint Peters, MO 63376, at which time citizens may be heard on the property tax rates proposed to be set by the City of Saint Peters, a political subdivision. The tax rates shall be set to produce substantially the same revenues as required for property tax in the annual budget for the fiscal year beginning October 1, 2020. The figures presented in this notice are based on current data, but are subject to change in order to comply with state and county regulations and to include modifications approved by the Board of Equalization. Each tax rate is determined by dividing the amount of revenue required by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 valuation.

(By Categories)	Assessed Valuation Prior Tax Year 2019	Current Tax Year 2020
Real Estate	\$1,172,806,719	\$1,174,211,486
Personal Property	209,460,147	211,009,743
Railroad and Utility	19,855,115	21,137,812
Total	<u>\$1,402,121,981</u>	<u>\$1,406,359,041</u>

Fund	Amount of Property Tax Revenues Budgeted for Fiscal Year 2020/21	Proposed Tax Rates for 2020 (per \$100)
General	\$7,912,100	\$0.5626
Debt Service	2,916,800	\$0.2074
Total	<u>\$10,828,900</u>	<u>\$0.7700</u>

Change in Revenue From Prior Fiscal Year:		
New Construction & Improvements	\$114,510	1.06%
Newly Added Territory	307	0.00%
Previously Locally Assessed Utilities Currently State	(1,527)	-0.01%
Change in Assessed Value on Prior Year Property	(80,790)	-0.75%
Total Change in Revenue From Prior Fiscal Year	<u>\$32,500</u>	<u>0.30%</u>

ORDINANCE NO.

AN ORDINANCE ESTABLISHING THE AD VALOREM TAXES FOR ALL REAL AND TANGIBLE PERSONAL PROPERTY WITHIN THE CITY OF ST. PETERS, FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020

WHEREAS, the City of St. Peters has calculated its Debt Service Fund and General Fund property tax rates in accordance with the Missouri State Auditors Office instructions.

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

SECTION NO. 1 – Tax Levy

That there shall be levied and collected in the manner prescribed by law, the following taxes on Real Estate and Personal Property for the year 2020 of Seventy-Seven Cents per One Hundred Dollars of assessed valuation broken down as follows:

City General Fund	\$ .5626
Debt Service Fund	<u>\$ .2074</u>
Total Assessed Rate	\$ .7700

SECTION NO. 2 – Delinquent Payment Penalty

(a) That there shall be collected on all delinquent real estate taxes, in addition to the amount of delinquent tax, a penalty in the sum of eighteen percent of each year’s delinquency, except that said penalty shall not exceed two percent per month, or fractional part thereof, or eighteen percent annually.

(b) That all lands and lots, on which said taxes are delinquent and unpaid, are subject to sale to discharge the lien for the delinquent and unpaid taxes, according to the practice and procedure set out in Chapter 140, R. S. Mo 1986 and subsequent revisions.

SECTION NO. 3 – Delinquent Payment Penalty

(a) That there shall be collected on all delinquent personal property taxes, in addition to the amount of delinquent tax, a penalty in the sum of eighteen percent of each year’s delinquency, except that said penalty shall not exceed two percent per month, or fractional part thereof, or eighteen percent annually.

(b) That in any suit brought by the City Collector to recover said delinquent taxes and penalties, a fee in the amount of ten percent of the taxes due, but in no event less than five dollars, shall be allowed the attorney for the Collector.

SECTION NO. 4 – Tax Rate Ceiling

The Board of Aldermen hereby determines and declares that the City General Fund tax rate ceiling under Sections 137.073(4), 137.073.6(1)(c), and 137.073.6(3) Revised Statutes of Missouri, as amended, to be \$.5626 for each one hundred dollars assessed valuation.

SECTION NO. 5 – EFFECTIVE DATE

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

SECTION NO. 6. 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 NO. 7. 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.

Read two times, passed and approved this 24<sup>th</sup> day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO EXECUTE CONTRACT CHANGE ORDER NO. 3 WITH M & H CONCRETE CONTRACTORS, INCORPORATED FOR THE 2020 CONCRETE SLAB REPLACEMENT PROGRAM

WHEREAS, the City of St. Peters did previously enter into an agreement with M & H Concrete Contractors, Incorporated on March 4, 2020, in the initial amount of One Million One Hundred Fifty-Three Thousand Six Hundred Thirteen Dollars and Twenty Cents (\$1,153,613.20), for the 2020 Concrete Slab Replacement Program; and

WHEREAS, the City of St. Peters and M & H Concrete Contractors, Incorporated entered into Contract Change Order No. 1 on May 7, 2020 and Contract Change Order No. 2 on August 6, 2020, for this project which resulted in an increase to the original contract value in the combined amount of Fifty-Two Thousand Seven Hundred Ten Dollars and Ninety-Six Cents (\$52,710.96); and

WHEREAS, changes to the current scope of services to allow for additional concrete pavement replacement necessitates the execution of Contract Change Order No. 3 with M & H Concrete Contractors, Incorporated; and

WHEREAS, it is recommended that Contract Change Order No. 3 be executed with M & H Concrete Contractors, Incorporated in the amount of Seventy-Eight Thousand Three Hundred Seventy Dollars (\$78,370.00) for additional concrete pavement replacement.

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 is hereby authorized to execute a Contract Change Order No. 3 with M & H Concrete Contractors, Incorporated in the initial amount of Seventy-Eight Thousand Three Hundred Seventy Dollars (\$78,370.00), bringing the new total contract value to One Million Two Hundred Eighty-Four Thousand Six Hundred Ninety-Four Dollars and Sixteen Cents (\$1,284,694.16), for additional work associated with the 2020 Concrete Slab Replacement Program. Upon approval of the City Administrator the initial contract amount shall be adjusted as necessary based on the final measured quantities at the unit prices bid in the contract or noted in the Change Orders for additional work associated with the 2020 Concrete Slab Replacement Program.

SECTION 2. The City Administrator be and he is hereby authorized to negotiate, execute and administer said Contract Change Order No. 3 on behalf of the City of St. Peters.

SECTION 3. 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 4. 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 24<sup>th</sup> day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

BILL NO. 20-102

I-03

ORDINANCE NO.

AN ORDINANCE ANNEXING CERTAIN ADJACENT TERRITORY  
(FOSTER, 1 PINE DRIVE) INTO THE CITY OF ST. PETERS, MISSOURI

WHEREAS, on July 23, 2020, a verified petition signed by all of the owners of the real estate hereinafter described requesting annexation of said territories into the City of St. Peters, Missouri, were filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of St. Peters, Missouri; and

WHEREAS, a Public Hearing concerning said matter was held at the City Hall in St. Peters, Missouri, at the hour of 6:30 p.m. on August 27, 2020; and

WHEREAS, notice of said Public Hearing was given by publication of notice at least seven (7) days prior to the hearing in the St. Charles Post, a newspaper of general circulation in the County of St. Charles, State of Missouri; and

WHEREAS, at said Public Hearing, all interested persons, corporations or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexations; and

WHEREAS, no written objection to the proposed annexations were filed with the Board of Aldermen of the City of St. Peters, Missouri within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of St. Peters, Missouri, does find and determine that said annexations are reasonable and necessary to the proper development of the City; and

WHEREAS, the City of St. Peters, Missouri, is able to furnish normal municipal services to said areas within a reasonable time after annexation;

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

SECTION 1. Pursuant to the provisions of Section 71.012 RSMo 2000, the following described real estate is hereby annexed into the City of St. Peters, Missouri, to wit:

Legal Description

Lot 21 of West Side Addition to St. Mary's Subdivision Plat Book 7 Page 11  
St Charles County, MO

Together with the street and road rights-of-way abutting said property.

More commonly known as 1 Pine Drive

SECTION 2. The boundaries of the City of St. Peters, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

SECTION 3. That the land described as the Foster Property, in Section 1 of this Ordinance shall be part of Ward 1 of the City of St. Peters.

SECTION 4. The City Clerk of the City of St. Peters is hereby ordered to cause three certified copies of this Ordinance to be filed with the St. Charles County Registrar.

SECTION 5. 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 6. 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 7. 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 24<sup>th</sup> day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE CORPORATE LIMITS AND ZONING DISTRICT MAP OF THE CITY OF ST. PETERS, MISSOURI, IN RESPONSE TO A VOLUNTARY ANNEXATION OF PROPERTY (FOSTER, 1 PINE DRIVE)

WHEREAS, the Planning and Zoning Commission of the City, Missouri, has recommended approval to the Board of Aldermen of this rezoning for newly annexed property.

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

SECTION 1. That an amended zoning map of the City of St. Peters shall and hereby is adopted as a part of this Ordinance which zoning map has been amended to include the newly annexed territories brought within the corporate limits by Ordinance Number \_\_\_\_\_ which was passed and approved on September 24, 2020.

The zoning districts of the newly annexed territories within the corporate limits are bounded and defined as shown on a map entitled "Zoning District Map for the City of St. Peters, Missouri", adopted by the Board of Aldermen and certified by the City Clerk, which accompanies and which, with all explanatory matter thereon, is hereby made a part of this Ordinance, which Ordinance establishes the zoning classification for the newly annexed territories.

SECTION 2. The newly annexed tract, which is hereby established as R-1 Single Family Residential District is described as follows:

Legal Description

Lot 21 of West Side Addition to St. Mary's Subdivision Plat Book 7 Page 11  
St Charles County, MO

Together with the street and road rights-of-way abutting said property.

More commonly known as 1 Pine Drive, St. Peters, MO 63376

SECTION 3: The Zoning District Map shall be kept and maintained by the City Clerk and shall be available for inspection and examination by members of the public at all reasonable times as any other public record.

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 24<sup>th</sup> day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI TO ENTER INTO A CONTRACT WITH DEHART RECYCLING EQUIPMENT FOR THE PURCHASE AND INSTALLATION OF A CONVEYOR SYSTEM AT ST PETERS CENTRAL MATERIALS PROCESSING FACILITY.

WHEREAS, the City of St. Peters has identified the need for the replacement of a failed conveyor system to accommodate recycling operations at the Central Materials Processing Facility; and

WHEREAS, the existing conveyor system has failed and time is of the essence to replace the conveyor system; and

WHEREAS, the City has budgeted funds for the replacement of this conveyor system in Fiscal Year 2021; and

WHEREAS, the City has competitively negotiated with DeHart Recycling Equipment for a turnkey approach for the fabrication, delivery, installation, and startup of the replacement conveyor system; and

WHEREAS, it is recommended the conveyor system replacement be awarded to DeHart Recycling Equipment.

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 with DeHart Recycling Equipment for the fabrication, delivery, installation and startup of the replacement conveyor system with related equipment in the initial amount of \$228,545.

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

SECTION 3. This Ordinance shall be in full force and take effect from and after the date of its final passage and approval.

No.

SECTION NO. 4. Savings.

Except as expressly set forth herein, nothing contained in this Ordinance 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 manner connected with the subject matter hereof.

SECTION NO. 5. 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 24<sup>th</sup> day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

No.

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE VACATION OF UTILITY EASEMENTS ON ADJUSTED LOT 6 OF THE BOUNDARY ADJUSTMENT OF LOTS 6 AND 7 OF PREMIER 370 PLAT 2, AS RECORDED IN PLAT BOOK 49 PAGES 234-241 AT THE ST. CHARLES COUNTY RECORDER OF DEEDS.

WHEREAS, utility easements have been recorded in Plat Book 49 Pages 234-241 at the St. Charles County Recorder's Office; and

WHEREAS, the City of St. Peters no longer needs said easements as shown cross-hatched on Exhibit A, which is attached hereto; and

WHEREAS, the utility companies have not utilized the certain portion of said easements as shown cross-hatched on Exhibit "A," which is attached hereto; and

WHEREAS, a new development will occur on the subject parcel.

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

SECTION 1. That said easements, as shown cross-hatched on Exhibit "A", in substantially the form attached hereto and incorporated by reference herein.

SECTION 2. That the Mayor of the City of St. Peters is hereby authorized to sign and execute a Release of Easement Rights, in substantially the form attached hereto, marked as Exhibit "B", and incorporated by reference herein.

SECTION 3. 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 4. 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 5. The City Clerk is hereby directed to provide a copy of this Ordinance to the St. Charles County Recorder's Office.

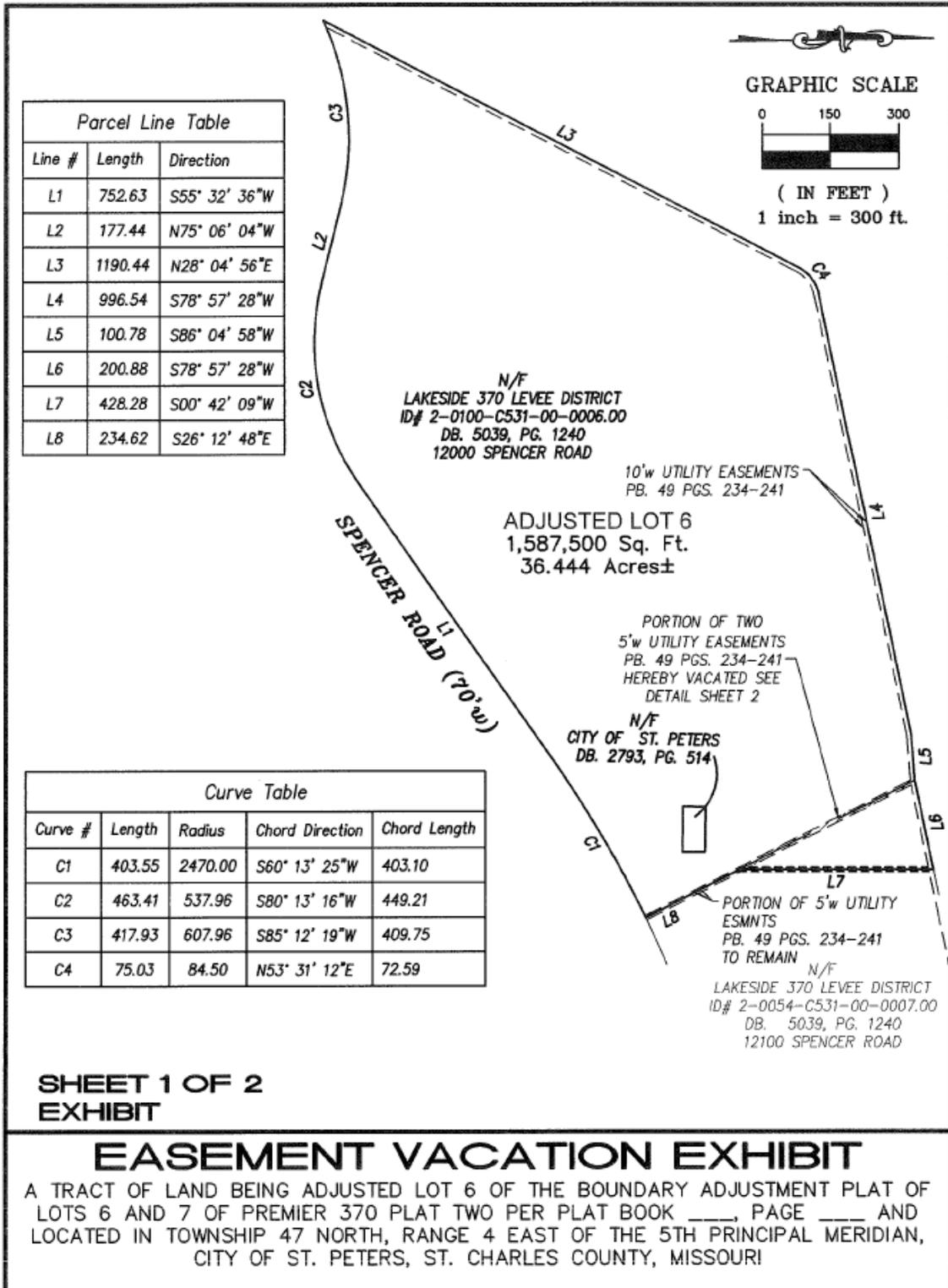
SECTION 6. This Ordinance shall take effect and be in force from and after its passage by the Board of Aldermen and its approval by the Mayor of the City of St. Peters, Missouri.

Read two times, passed, and approved this 10th day of September, 2020.

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

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

# EXHIBIT A



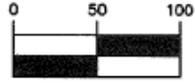
**SHEET 1 OF 2**  
**EXHIBIT**

## EASEMENT VACATION EXHIBIT

A TRACT OF LAND BEING ADJUSTED LOT 6 OF THE BOUNDARY ADJUSTMENT PLAT OF LOTS 6 AND 7 OF PREMIER 370 PLAT TWO PER PLAT BOOK \_\_\_\_, PAGE \_\_\_\_ AND LOCATED IN TOWNSHIP 47 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI



GRAPHIC SCALE

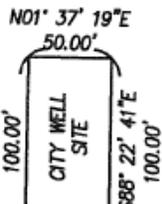


( IN FEET )  
1 inch = 100 ft.

ADJUSTED LOT 6

S86° 04' 58"W  
100.78'

PORTION OF TWO  
5'w UTILITY EASEMENTS  
PB. 49 PGS. 234-241  
HEREBY VACATED SEE  
DETAIL SHEET 2



S01° 37' 19"W  
50.00'  
S88° 22' 41"E  
78.87'

N26° 12' 48"W 424.22'  
PORTION OF LOT LINE  
TO BE EXTINGUISHED

S78° 57' 28"W  
200.88'

S00° 42' 09"W  
428.28'

PROPOSED 5' W  
UTILITY EASEMENT  
BY SEPARATE  
DOCUMENT

PORTION OF 5'w UTILITY ESMNTS  
PB. 49 PGS. 234-241  
TO REMAIN

ADJUSTED LOT 7

N/F  
LAKESIDE 370 LEVEE DISTRICT  
ID# 2-0054-C531-00-0007.00  
DB. 5039, PG. 1240  
12100 SPENCER ROAD

SHEET 2 OF 2  
EXHIBIT

EASEMENT VACATION EXHIBIT

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LOTS 6 AND 7 OF PREMIER 370 PLAT TWO PER PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_ AND  
LOCATED IN TOWNSHIP 47 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN,  
CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI

DATE 7/23/20

6766\SURVEY\EXHIBIT\VAC2.DWG

**EXHIBIT B**  
**RELEASE OF EASEMENT RIGHTS**

THIS INSTRUMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

WITNESSETH THAT:

WHEREAS, easements for utility purposes has been granted to the City of St. Peters, Missouri, pursuant to the document on file in Plat Book 49 Pages 234 -241 of the St. Charles County Missouri Recorder's Office; and

WHEREAS, it is the purpose and intent of the City of St. Peters, Missouri, to release any and all underground utility easement rights on a portion of the aforementioned easements, as shown cross-hatched on Exhibit "A", which is attached hereto and made a part hereof;

NOW, THEREFORE, the City of St. Peters, Missouri, does hereby remise and release the herein above described premises from all underground easement rights and interests acquired by said company pursuant to the aforementioned plats;

IN WITNESS WHEREOF, the said City of St. Peters, Missouri, has caused these presents to be executed the day and year first above written.

CITY OF ST. PETERS, MISSOURI

\_\_\_\_\_  
Len Pagano, Mayor

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

STATE OF MISSOURI     )  
  ) SS  
COUNTY OF ST. CHARLES)

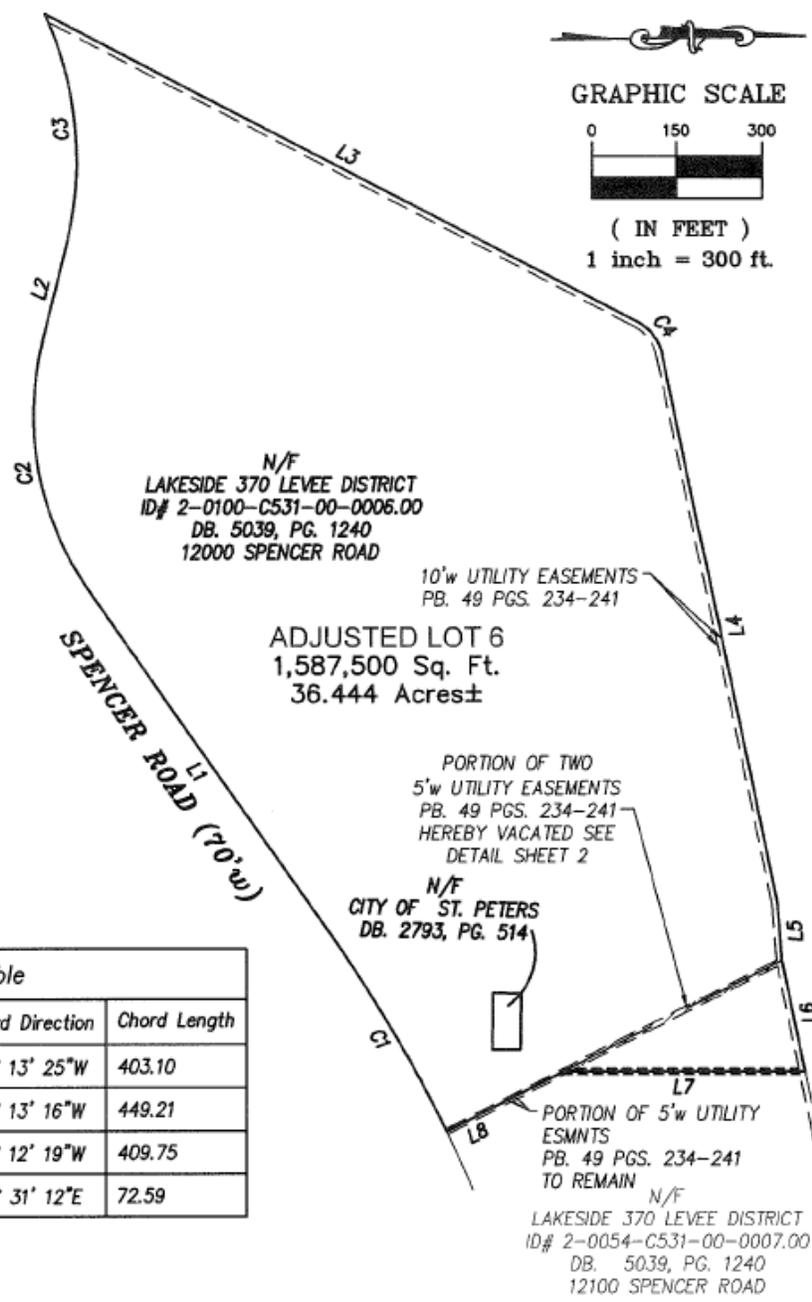
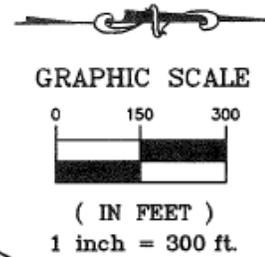
On this \_\_\_\_\_ day of \_\_\_\_\_ in the year 2020 before me, \_\_\_\_\_, A Notary Public in and for said state, personally appeared Len Pagano, Mayor, known to me to be the person who executed the within Release of Easement Rights, in behalf of the City of St. Peters and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.

Notary \_\_\_\_\_  
My Commission Expires:

Line #	Length	Direction
L1	752.63	S55° 32' 36"W
L2	177.44	N75° 06' 04"W
L3	1190.44	N28° 04' 56"E
L4	996.54	S78° 57' 28"W
L5	100.78	S86° 04' 58"W
L6	200.88	S78° 57' 28"W
L7	428.28	S00° 42' 09"W
L8	234.62	S26° 12' 48"E

Curve #	Length	Radius	Chord Direction	Chord Length
C1	403.55	2470.00	S60° 13' 25"W	403.10
C2	463.41	537.96	S80° 13' 16"W	449.21
C3	417.93	607.96	S85° 12' 19"W	409.75
C4	75.03	84.50	N53° 31' 12"E	72.59



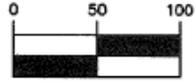
**SHEET 1 OF 2  
EXHIBIT**

## EASEMENT VACATION EXHIBIT

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CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI



GRAPHIC SCALE

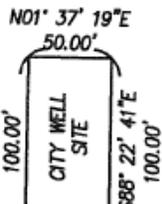


( IN FEET )  
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ADJUSTED LOT 6

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100.78'

PORTION OF TWO  
5'w UTILITY EASEMENTS  
PB. 49 PGS. 234-241  
HEREBY VACATED SEE  
DETAIL SHEET 2



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PORTION OF LOT LINE  
TO BE EXTINGUISHED

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PROPOSED 5' W  
UTILITY EASEMENT  
BY SEPARATE  
DOCUMENT

PORTION OF 5'w UTILITY ESMNTS  
PB. 49 PGS. 234-241  
TO REMAIN

ADJUSTED LOT 7

N/F  
LAKESIDE 370 LEVEE DISTRICT  
ID# 2-0054-C531-00-0007.00  
DB. 5039, PG. 1240  
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SHEET 2 OF 2  
EXHIBIT

EASEMENT VACATION EXHIBIT

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LOCATED IN TOWNSHIP 47 NORTH, RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN,  
CITY OF ST. PETERS, ST. CHARLES COUNTY, MISSOURI

DATE 7/23/20

6766\SURVEY\EXHIBIT\VAC2.DWG

ORDINANCE NO.

AN ORDINANCE DIRECTING THE CITY ADMINISTRATOR OF THE CITY OF ST. PETERS, MISSOURI, TO EXECUTE A CERTAIN AMENDMENT TO DEVELOPMENT AGREEMENT DATED AS OF AUGUST 27, 2020, WITH CRG – ST PETERS 2020, LLC AND ST PETERS 2020 LLC

WHEREAS, the City, ST PETERS 2020 LLC (the “Owner”), and CRG – ST PETERS 2020, LLC (the “Developer”) have heretofore entered into a certain Development Agreement dated as of August 27, 2020 (the “Development Agreement”); and

WHEREAS, the Development Agreement requires as a condition to conveyance of the City Parcel to the Owner, the delivery to the City of “a signed Memorandum of Lease evidencing that the Project Smile tenant will lease from the Owner not less than all of the Facility;” and

WHEREAS, the Owner has requested that the closing deadline of October 1, 2020, be extended to or before October 30, 2020, in order to obtain such a signed Memorandum of Lease; and

WHEREAS, certain other provisions of the Development Agreement are based on the original closing deadline, and therefore, need to be revised accordingly.

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

**SECTION NO. 1. Approval of Amendment to Development Agreement.**

A. That the form, terms, and provisions of the Amendment to Development Agreement attached hereto, marked as Exhibit “A”, and incorporated by reference herein, be and they hereby are, in all respects approved, and the City Administrator is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer for and on behalf of the City said Amendment to Development Agreement in substantially the form attached hereto.

B. That the City Administrator is hereby further authorized and directed for and on behalf of and in the name of the City to agree to any further amendments or changes to the Amendment to Development Agreement which said City Administrator deems appropriate, and to do any and all other acts and things and to execute and deliver any and all other agreements, documents, instruments and certificates, all as may be necessary or appropriate to consummate the above mentioned Amendment to Development Agreement, and to perform all of the terms, provisions and conditions of the Amendment to Development Agreement hereinabove referred to. The execution by the City Administrator of any agreement, document, instrument, check or certificate referred to in this Ordinance and the Amendment to Development Agreement, shall be conclusive evidence of the approval thereof and of all of the terms, provisions and conditions contained therein. Any and all acts which the City Administrator may do or perform in

conformance with the powers conferred upon him by this Ordinance are hereby expressly authorized, approved, ratified and confirmed.

**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.**

Except as set forth herein, nothing contained in this Ordinance 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 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 24th day of September, 2020.

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Len Pagano, As Presiding Officer and as Mayor

Attest:

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Patricia E. Smith, City Clerk

EXHIBIT A  
AMENDMENT  
TO  
DEVELOPMENT AGREEMENT DATED AS OF AUGUST 27, 2020

THIS AMENDMENT TO DEVELOPMENT AGREEMENT DATED AS OF AUGUST 27, 2020 (the "Amendment"), is made and entered into as of September 24, 2020 by and among the City of St. Peters, Missouri, a political subdivision of the State of Missouri (the "City"), whose mailing address is One St. Peters Centre Boulevard, St. Peters, MO 63376, St Peters 2020 LLC, a Delaware limited liability company (the "Owner"), whose mailing address is c/o Clayco, Inc., 2199 Innerbelt Business Center Drive, St. Louis, MO 63114, Attention: Caroline Saunders, Sr. Vice President, General Counsel, and CRG-St Peters 2020, LLC, a Missouri limited liability company (the "Developer"), whose mailing address is c/o Clayco, Inc., 2199 Innerbelt Business Center Drive, St. Louis, MO 63114, Attention: Caroline Saunders, Sr. Vice President, General Counsel.

WITNESSETH:

WHEREAS, the City, the Owner, and the Developer have heretofore entered into a certain Development Agreement dated as of August 27, 2020 (the "Development Agreement"); and

WHEREAS, the Development Agreement requires as a condition to conveyance of the City Parcel to the Owner, the delivery to the City of "a signed Memorandum of Lease evidencing that the Project Smile tenant will lease from the Owner not less than all of the Facility;" and

WHEREAS, the Owner has requested that the closing deadline of October 1, 2020, be extended to or before October 30, 2020, in order to obtain such a signed Memorandum of Lease; and

WHEREAS, certain other provisions of the Development Agreement are based on the original closing deadline, and therefore, need to be revised accordingly.

NOW THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City, the Owner and the Developer do hereby agree to amend the Development Agreement as follows:

1. The following provisions of Section 4. Development Timing. of the Development Agreement are hereby amended to read as follows:

City, Owner and Developer shall record a Memorandum of this Development Agreement.	After its full execution, but not later than the Closing Date and immediately following the Deed by which the Owner acquires the Land.
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<p>Owner shall have taken fee simple title to and possession of the Land.</p>	<p>On five (5) days prior written notice to City and no later than October 30, 2020 (the “<b>Closing Date</b>”).</p>
<p>City shall convey to Owner fee simple title to the City Parcel by special warranty deed in form and substance mutually acceptable to the parties in exchange for the Well Fee Payment, reserving the rights of ingress and egress to Well Site 8 in, on, upon, along, over, through, across, and under the parcel of real estate described in a certain deed recorded in Book 583 Page 255, and described in Book 869, Page 1998 in the St. Charles County Recorder's Office, until approval of its closure by MODNR.</p>	<p>On the Closing Date.</p>
<p>Provided that Developer, at its own cost, installs and provides temporary electric power to the City Parcel necessary to complete closure of Well Site 8, the City shall agree to and permit the disconnection of permanent electric power servicing the City Parcel.</p>	<p>Within ten (10) days after the Closing Date.</p>

2. All capitalized terms not otherwise defined herein shall have the meanings provided in the Development Agreement.

3.

4. All other terms, conditions and provisions of the Development Agreement, except as expressly modified hereby, shall remain in full force and effect.

5. The City, the Owner and the Developer hereby ratify and reaffirm the Development Agreement as amended by this Amendment.

[The remainder of this page is intentionally left blank.  
Signature pages to follow.]

IN WITNESS WHEREOF, the City, the Owner and the Developer have caused this Amendment to be duly executed as of the day and year first above written.

SEAL

CITY OF ST. PETERS, MISSOURI

By: \_\_\_\_\_  
Russell W. Batzel, City Administrator

Attest: \_\_\_\_\_  
Patricia E. Smith, City Clerk

ST PETERS 2020 LLC

By: CRG – St Peters 2020 LLC, a Missouri limited liability company, its Manager

By: CRG Services Management, LLC, Missouri limited liability company, its Manager

By: \_\_\_\_\_  
Christopher P. McKee,  
Chief Development Officer

CRG - ST PETERS 2020, LLC

By: CRG Services Management, LLC, a Missouri limited liability company, its Manager

By: \_\_\_\_\_  
Christopher P. McKee,  
Chief Development Officer



STATE OF MISSOURI )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, Carol Martin, a Notary Public in and for said state, personally appeared Christopher P. McKee, Chief Development Officer of CRG Services Management, LLC, as Manager of CRG – St Peters 2020, LLC, a Missouri limited liability company, known to me to be the person who executed the within instrument in behalf of CRG-St Peters 2020 LLC, a Missouri limited liability company, as its Manager, and acknowledged to me that he executed the same for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State the day and year first above written.

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_