

JEFFERSON COUNTY, MISSOURI – JOURNAL

January 10, 2022
Regular Meeting
Administration Center, Hillsboro, MO
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The Jefferson County, Missouri, Council conducted a regular meeting on Monday, January 10, 2022 at 6:30 p.m. in the Assembly Room of the Jefferson County Administration Center, located at 729 Maple Street, Hillsboro, Missouri.

I. CALL TO ORDER

County Executive Dennis Gannon called the meeting to order at 6:31 p.m.

II. INVOCATION

Council Member Stallman gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Recited.

County Executive Gannon honored Veterans and active military by asking them to stand and be recognized for their service.

IV. ROLL CALL

County Executive Gannon	Present
District 1- Brian Haskins:	Present
District 2- Renee Reuter:	Present
District 3- Phil Hendrickson:	Present
District 4- Charles Groeteke:	Absent
District 5- Tracey Perry:	Present
District 6- Dan Stallman:	Present
District 7- Vicky James:	Present

V. PUBLIC COMMENTS

The following citizens spoke against Bill No. 21-1229:

- Alan Leaderbrand, 5062 Romaine Spring Drive, Fenton
- David Stokes, 7220 Greenway Ave, St Louis
- Paula Arbuthnot, 13042 Fox Farm Rd., De Soto
- John Giancola, 8524 Lake Drive, Cedar Hill

VI. APPROVAL OF THE AGENDA

Council Member Hendrickson made a motion to remove Bill No. 22-0116 off the Agenda and move it to a future Agenda, seconded by Council Member Reuter. Council Member Perry asked why they wanted to remove this Bill. County Counselor Wes Yates explained there was a Public Notice put out in the newspaper for a Public Hearing, however due to an oversight it did not make it on the Agenda,.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

Council Member Hendrickson made a motion to approve the amended Agenda, seconded by Council Member Reuter.

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Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

VII. ELECTION OF COUNTY COUNCIL OFFICERS FOR 2022

Council Member Haskins made a motion to nominate Tracey Perry as Chair of the Council for 2022, seconded by Council Member Stallman.

Roll Call Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	No
District 3 - Council Member Hendrickson:	No
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

Council Member Stallman made a motion to nominate Phil Hendrickson for Vice-Chair, seconded by Perry.

Roll Call Vote:

Vote:

District 1 - Council Member Haskins:	No
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

VIII. APPROVAL OF JOURNALS

A. Approval of the December 27, 2021 Journal - Regular Meeting

Council Member Perry made a motion to approve the Journal of the December 27, 2021 Regular Meeting, seconded by Council Member Stallman.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent

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District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Abstain
District 7 - Council Member James:	Yes

Motion carried.

B. Approval of the January 3, 2022 Journal – Work Session

Council Member Perry made a motion to approve the Journal of the January 3, 2022 Work Session, seconded by Council Member Stallman.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Abstain
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

IX. PUBLIC HEARING

County Executive Gannon opened the Public Hearing and stated any citizens who wanted to make comments to stand up and be sworn in.

- A. Public Hearing Regarding A Petition, By Compass Box Holdings, LLC, et al., To Establish A Community Improvement District In Council District 4, To Be Known As The Marriott Lane Community Improvement District (1 of 1, See Introduction Bill No. 22-0117). (*Department of County Counselor*)

1. SWEARING IN OF WITNESSES

Cherlynn Boyer swore in the following witnesses:

- Alan Leaderbrand, 5062 Romaine Spring Dr., Fenton
- Floyd T. Norrick, 301 Main Street, Hillsboro
- David Mangelsdorf, 841Shipwatch, Imperial

Petitioner

Floyd T. Norrick, with Thurman Lawfirm at 301 Main St., Hillsboro appeared on behalf of David and Glenna Mangelsdorf, and Compass Fox Holdings, LLC, regarding a formation of the Marriot Lane Community Improvement District. He explained the purpose of this district is for the improvement of a roadway that has not in the past been maintained to Jefferson County standards. There were questions from Council Members with a discussion and responses from Mr. Norrick and David Mangelsdorf.

In Favor

David Mangelsdorf, 841Shipwatch, Imperial

In Opposition

Alan Leaderbrand, 5062 Romaine Spring Dr., Fenton, spoke regarding amending this Bill to add a sunset date on it. County Council Perry asked for input from County Counselor Wes Yates. Counselor Yates made a statement that this is a sales tax, not a real estate tax, and it is 27 years by state statute.

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County Executive Dennis Gannon asked if any other citizens wanted to make any comments in opposition to the CID. No one appeared. County Executive Dennis Gannon asked again and once more and no one appeared to comment.

Rebuttal

Mr. Norrick agreed with County Counselor Yates, in that the petition specifically says it is for a 27 year term, which is the max under state law.

County Council Members Renee Reuter and Haskins made statements and asked questions, which were answered by Mr. Mangelsdorf.

Council Member Perry made a motion to close the Public Hearing, seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

X. REPORT FROM COUNTY EXECUTIVE

- County Executive Gannon stated we are starting 2022 with several promising request and reports from our community partners. There have been request for information and site visits for businesses that want to locate in Jefferson County.
- County Executive Gannon mention the sales tax for 2021 ended strong at 9.6%, however the first report of this year, (Dec./Jan) does not look at optimistic as last year. Part of the report shows the sales tax is down 8.52%.
- County Executive Gannon spoke about the continued increase in COVID numbers there is consideration in placing another testing site, in partnership with the Missouri National Guard in Jefferson County.
- The Redistricting Commission work continues and once they finish their suggestions will be presented to the County Council for review and further action.

XI. RECONSIDERATION OF BILLS

None

XII. CONSIDERATION OF VETOED BILLS

None

XIII. CONSENT AGENDA

Council Member Perry made a motion to introduce and read the Bills on the Consent Agenda by title, seconded by Council Member Hendrickson. Council Member Perry read Bills 22-0101 through 22-0115 by title.

Council Member Perry made a motion to approve the Bills on the Consent Agenda, seconded by Council Member Hendrickson.

Vote:

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District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

XIV. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

None

XV. CONSIDERATION OF RESOLUTIONS

Resolution No. R22-0101 – Acknowledging the Disposal of Records

Council Member Perry made a motion to read Resolution No. R22-0101 on its first and only reading by title, seconded by Council Member Hendrickson. Council Member Perry read the Resolution.

Council Member Perry made a motion to adopt Resolution No. R22-0101 seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

Resolution No. R22-0102 – Correct Erroneous Assessments, Mistakes or Defects in Descriptions of Lands, Assessments or Tax Records (Personal Property).

Council Member Perry made a motion to read Resolution No. R22-0102 on its first and only reading by title, seconded by Council Member Hendrickson. Council Member Perry read the Resolution.

Council Member Perry made a motion to adopt Resolution No. R22-0102 seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Abstain
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

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Resolution No. R22-0103 – Correct Erroneous Assessments, Mistakes or Defects in Descriptions of Lands, Assessments or Tax Records (Real Property).

Council Member Perry made a motion to read Resolution No. R22-0103 on its first and only reading by title, seconded by Council Member Hendrickson. Council Member Perry read the Resolution.

Council Member Perry made a motion to adopt Resolution No. R22-0103 seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Abstain
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

XVI. INTRODUCTION OF BILLS

Bill No. 22-0117– District 4 Marriott Land CID Hearing

Council Member Perry made a motion to introduce Bill No. 22-0117 by title, seconded by Council Member Hendrickson. Council Member Perry read the Bill by Title.

Council Member Perry made a motion to approve Bill No. 22-0117 and move it to Perfection, seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

Council Member Renee Reuter thanked Mr. Mangelsdorf for all his work on the property.

XVII. PERFECTION OF BILLS

Bill No. 21-1229 – Ordinance Amending Title IV, Chapter 405

Council Member Perry made a motion to place Bill No. 21-1229 on its second reading by title seconded by Council Member Haskins. Council Member Perry read the Bill by title.

Council Member Perry made a motion to approve Bill No. 21-1229 and move it to Final Passage, seconded by Council Member Haskins.

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Discussion: Council Member Perry read the following statement: Bill number 21-1229 is a topic of controversy and much miss information. It is our responsibility, delegated by the Legislature of the State of Missouri, to adopt floodplain management regulations that are designed to protect the health, safety, and general welfare of its citizens. This in part includes, the selection and adoption of a regulatory floodway based on the principle that the area chosen for the floodway MUST be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood. For the record, the Jefferson County Missouri Council members are NOT engineers or in any way subject matter experts on floodplain management. Unfortunately, due to the devastating aftermath of reoccurring damage caused by flooding in our communities, a quick, knee jerk reactionary response was made by the council to help the citizens of Jefferson County recover and hope that a new more restrictive 1 inch rise of a floodway was the answer. However, unfortunately there are many unforeseen consequences to this legislative action that has negatively affected a greater population of Jefferson County Citizens. I am in NO WAY belittling or challenging the motive behind the more restrictive 1 inch change, I am simply stating that there should have been a comprehensive study conducted for flood plan management before this change was implemented that would have taken everything into consideration and included existing infrastructure as well as property owners rights to choose to build on their existing property. As I stated before, The National Flood Insurance Program explain that the "Allowable one-foot rise in flood stage or surcharge is ALREADY A COPROMISE that is intended to balance the rights of the property owners to develop their own properties against the need to protect adjacent and upstream property owners from increased flood heights and damages".

Other things to take into consideration is, this **ordinance ABSOLUTLY DOES NOT EVEN COME CLOSE** to being the root cause of major flooding anywhere to include the Meramec valley or the City of DeSoto. The Meramec is a free-flowing river with no flood control dams except for the one at Valley Park. It was definitely unfortunate that the flood risk along the Meramec is increasing especially for cities like Eureka, Pacific and Valley Park. The only community that was actually protected was Valley Park by the \$50 million dollar levee that saved them but in turn also caused more flooding for everyone else based on its design. Additionally, there are other underlying causes to the increased water levels such as the fact that our stream beds are becoming smaller and smaller as a result of more debris, less clean up, causing high water levels. You cannot even remove rocks and bounders as we once did. Yes, flooding is devastating and needs to be addressed, but the 1 inch is not the answer, it is like putting your finger in the crack of a damn to stop a water leak just for another one to pop up.

For the record, I do wanted to point out that Jefferson County has been allocated more funding through FEMA's Individual Assistance Program and the Small Business Association's Disaster Recovery Loan Program than any other county in Missouri apart from Jasper County. This data accounts for incidents occurring from 2006-2017 with Jefferson Counties allocation of \$11, 736, 892 dollars.

- Jasper: \$48,415,988
- Jefferson: \$11,736,892
- St. Louis Co.: \$10,434,010
- Newton: \$10,949,175
- Pemiscot: \$10,421,462

Of the amount that was allocated to Jefferson County, approximately \$10,000,000 was granted to citizens in the aftermath of flooding in 2015/2016 and 2017. For referencing purposes, this information was taken from several sections of FEMA's website. The first one being the (Individual Assistance & SBA Loans: <https://www.fema.gov/data-visualization/disaster-housing-assistance>) The second one at Flood Events & NFIP cost information: (<https://www.fema.gov/data-visualization/historical-flood-risk-and-costs>) and the third one at Disaster Declarations & Hazard Types: (<https://www.fema.gov/data-visualization/disaster-declarations-states-and-counties>) All can be found in the minutes of this meeting for referencing back to. Jefferson County is well aware of the devastation caused by flooding and has historically proven over and over to help its citizens recover.

I do want to point out that I have listen to all the citizens which includes Linda Lyons, Ron Nuetzel, Robert Wanager, Susan Liley, the 45 residents of the Riverhills subdivision as well as many, many others. In prioritizing the need of the greater

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good, this bill should pass for the immediate safety needs of citizens that currently do not have access to emergency medical personnel in the event of flooding, or the ability for children to have access to their schools. Please note, by the passing of this bill we are NOT, I repeat, NOT increasing floodway height we are returning it to recommendations set by FEMA and SEMA as well as the rest of the counties in Missouri, 1 foot.

As I tabled this ordinance at the last meeting held on December 27th, for the intention of giving council members extra time to provide additional information to be addressed and discussed at tonight's meeting that would support not passing Bill number 21-1229 and to discuss the possibility of what a variance would look like in this case. **If the council were to develop an ordinance based of a variance on such a short time frame, we would find ourselves again in a knee jerk reaction that does not consider all the variables associated with such a major change.**

What I am purposing is the County Council adopt this bill number 12-1229 and consider incorporating a new compressive flood plan management study in our master plan. The county is scheduled to move forward with an updated master plan in the near future. This will take all contingencies into consideration and in the meantime the citizens that are currently at risk will be taken care off.

In response to Council Member Perry's statement she read, Council Member Reuter mentioned she provided information and studied this a lot. Ms. Reuter said she is not saying she is an Engineer, but he has seen the devastation first hand in her District and said she will not vote for anything that will put her District at risk for further flooding. Council Member Haskins handed out a page with comments made by Council Member Reuter at the Council Meeting on December 13, 2021. Ms. Reuter said she was given this information from people who live in her District. Mr. Haskins responded by reading the fact sheet from FEMA. Ms. Reuter invited Mr. Haskins to watch the Council Meeting videos and listen to what the citizens said about the flooding in District 2. Ms. Perry mentioned she appreciated Ms. Reuter's passion and that they have both experienced the devastation the happens when it floods. Ms. Perry said she hopes they can move forward and do something to make it even more of an impact.

Roll Call Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	No
District 3 - Council Member Hendrickson:	No
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	No
District 7 - Council Member James:	Yes

Motion failed.

Bill No. 21-1240 – District 4 Vacate A Portion Of West Imperial Drive, In Stovesand Hills Subdivision

Council Member Reuter made a motion to place Bill No. 21-1240 on its second reading by title seconded by Council Member Perry. Council Member Perry read the Bill by title.

Council Member Perry made a motion to approve Bill No. 21-1240 and move it to Final Passage, seconded by Council Member Hendrickson.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

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Motion carried.

XVIII. FINAL PASSAGE OF BILLS

Bill No. 21-1240 – District 4 Vacate A Portion Of West Imperial Drive, In Stovesand Hills Subdivision.

Council Member Perry made a motion to place Bill No. 21-1240 on its third reading by title seconded by Council Member Hendrickson. Council Member Perry read the Bill by title.

Council Member Hendrickson made a motion to approve and finally pass Bill No. 21-1240, seconded by Council Member Perry.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

XIX. OTHER MATTERS

A. County Council Motions Regarding Future Agendas – Other Matters.

Council Member Reuter made a motion to hold the next two Council Meetings by Zoom, seconded by Council Member Perry. *There were discussions made between Councilmembers Reuter, James, Perry, Hendrickson, County Executive Gannon, and County Counselor Yates. County Executive Gannon said he would check to see if there were any on the Agenda that would prevent a Zoom meeting, and will get back to the Council.*

Motion withdrawn.

Council Member Perry asked if there needed to be another hearing to amend Bill 21-1229. County Counselor Yates said there did not.

Council Member Perry made a motion to place Bill 21-1229 back on the Agenda for the next meeting, Seconded by Council Member Haskins.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	No
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried.

XX. REPORTS AND COMMENTS FROM COUNCIL MEMBERS

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District 1 – Council Member Haskins:

- No comments.

District 2 – Council Member Reuter:

- Thanked the Public Works Department on the lights that were installed at the intersection of Old Highway 21 and East and West Four Ridge.
- Congratulated Council Member Perry and Henderickson on there new leadership positions.

District 3 – Council Member Hendrickson:

- No comments.

District 4 – Council Member Groeteke:

- Absent.

District 5 – Council Member Perry:

- Thanked everyone who nominated her.
- Thanked Councilman Hendrickson for all his work in the past two years, and looks forward to working with him.

District 6 – Council Member Stallman:

- Thanked Councilman Hendrickson for his hard work as Council Chair.

District 7 – Council Member James:

- Thanked Eric Larson and everyone involved with the new Animal Rescue Shelter.

XXI. **CLOSED SESSION**

Council Member Perry made a motion to enter into Closed Session pursuant Section 610.021 Paragraph (1) Of The Revised Statutes Of The State Of Missouri For The Purpose Of Discussing Litigation, seconded by Council Member Hendrickson.

Roll Call Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

Motion carried, and the meeting entered Closed Session in the Assembly Room at 7:53 p.m. and reconvened at 8:47 p.m.

XXII. **ADJOURNMENT**

Council Member Perry made a motion to adjourn, seconded by Council Member James.

Vote:

District 1 - Council Member Haskins:	Yes
District 2 - Council Member Reuter:	Yes
District 3 - Council Member Hendrickson:	Yes
District 4 - Council Member Groeteke:	Absent
District 5 - Council Member Perry:	Yes
District 6 - Council Member Stallman:	Yes
District 7 - Council Member James:	Yes

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Motion carried, and the meeting adjourned at 8:47 p.m.

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