

7. Owner shall provide empty and clean trash receptacles at the property on the first day of each booked guest period for guest use. Owner shall legally dispose of guest trash and recyclables within 24 hours of any guest departure. Legal disposal includes storage of accumulated trash in approved receptacles or containers in such manner as not to create a nuisance. Trash receptacles shall not be placed at the street curb except on designated days by the Solid Waste hauler.

8. The applicant is to provide not less than two (2) off-street parking spaces for use by guests.

9. The exterior yard shall be maintained at all times.

IF PERMIT IS TO BE DENIED, WHAT ARE THE REASONS FOR DENIAL:

VOTE OF THE COMMISSION MEMBERS RECORDED AS FOLLOWS:

COMMISSIONERS	YES	NO	ABSENT	ABSTAIN
Gary Roth, Chairman	<u>X</u>	---	---	---
Carl Kinsky	<u>X</u>	---	---	---
Joseph Prince, Alderman	---	---	<u>X</u>	---
Anthony Grass	<u>X</u>	---	---	---
Kristi Cleghorn	<u>X</u>	---	---	---
Gina Bryant	<u>X</u>	---	---	---
Justin Donovan	<u>X</u>	---	---	---
Kathleen Waltz	---	---	<u>X</u>	---

  
 \_\_\_\_\_  
 Gary Roth, Chairman

6-9-21  
 \_\_\_\_\_  
 Date



## STAFF REPORT

November 9, 2021

Submitted by David Bova, Community Development Administrator  
Ste. Genevieve Planning & Zoning Commission

**SPECIAL USE PERMIT**  
409 LeCompte

**SPECIAL USE PERMIT:** To operate a guest lodging establishment at 409 LeCompte Street, a single family residential structure.

R-1 Single Family Residential District

Owner: Marshall & Jinette Brautigam  
PO Box 2026  
Chester, CA 96020

Applicant: Marshall & Jinette Brautigam

**Legal Description:** See attached.

**Size of Lot:** 0.26 acre, 11,110 Sq. Ft. (+/-) / South line 87' (+/-), West line 150', North line 80' East line 150' (+/-).



**REQUEST:**

To receive a Special Use Permit to operate a guest lodging establishment.

### BACKGROUND

- The property is located in an R-1 Single Family Residential Zone District.
- The property is bordered on the north and west side by residential structures within the R-1 Single Family Residential Zone. The property is bordered on the south side by LeCompte Street and other residential structures on the opposite side of LeCompte that are in the R-1 Single Family Residential Zone. The property is bordered on the east side by North Fourth Street and other residential structures and an empty lot that are in an R-2 General Residential District.
- The property sits within the Ste. Genevieve National Register Boundary and is a Contributing structure to the historic district. It was built c. 1900.
- The structure's previous use was as a single family residence.
- The parking area is accessed off of LeCompte Street and is approximately 24' wide and 30' deep and offers parking for at least two (2) vehicles.
- **Municipal Code Section 405.050 (A) (1) (I) R-1 – Single Family Residential District Regulations provides: (1) Use Regulations. A building or premises shall be used only for the following purposes: (I) Guest lodging, with special use permit, provided no external evidence of such use. No signing advertising such use permitted.**

- **Municipal Code Section 405.020** DEFINITIONS defines Guest Lodging as: A lodging establishment renting guest rooms or units only to transient guests and having fewer than ten (10) guest rooms; and defines Transient Guest as: Any person who rents and occupies a guest room in a guest lodging establishment for period of less than thirty-one (31) days during any twelve (12) month period.
- **Municipal Code Section 405.170 (A) (14)** Off Street Parking Regulations states (A) No building shall be erected, enlarged to the extent of increasing the floor area by as much as fifty percent (50%), or changed in use unless there is provided on the lot space for the parking of automobiles or trucks in accordance with the following minimum requirements. (14) Rooming or Lodging Home or Guest Lodging. One (1) parking space for each two (2) sleeping rooms. This structure has three (3) bedrooms and would require a minimum of two parking spaces.
- **Municipal Code Section 405.200 (A)** Special Use Regulations provides: (A) Subject to the provisions of this Section, the Board of Alderman of the City of Ste. Genevieve may, after public hearing before the Board of Aldermen and after study and report by the City Planning and Zoning Commission, authorize special uses in any district as herein qualified from which the uses are otherwise prohibited based on whether such building or use will:
  1. Substantially increase traffic hazards or congestion.
  2. Adversely affect the character of the neighborhood.
  3. Substantially increase fire hazards.
  4. Adversely affect the general welfare of the community.
  5. Overtax public utilities.
  6. Be in conflict with the Comprehensive City Plan
- **Municipal Code Section 405.200 (D) (23)** Special Use Regulations provides: (D) The following special uses are authorized providing they comply with all the regulations set forth in this Chapter for the district in which such use is located.... (23) All uses by which special use permits are required by other Sections of this Chapter.

## **PROJECT DESCRIPTION**

The owners, Marshall and Jinette Brautigam, wish to operate a guest lodging establishment, commonly known as a "VRBO" or "AirBNB", within the single family residential structure at 409 LeCompte Street.

### **Specific Findings of Fact:**

It is hereby found that the requested use, with the below-stated terms and conditions:

1. Will not substantially increase traffic hazards or congestion.
2. Will not adversely affect the character of the neighborhood.
3. Will not substantially increase fire hazards.
4. Will not adversely affect the general welfare of the community.
5. Will not overtax public utilities.
6. Does not conflict with the Comprehensive City Plan
7. Offers adequate off street parking.

It is further found that the uses proposed are consistent with the letter and intent of the Municipal Ordinance.

**RECOMMENDATION:**

Staff recommends the following Standard Motion: "Motion to APPROVE Special Use Permit 001-22 with the conditions listed in the staff report":

Conditions:

1. Prior to Occupancy, the dwelling may not be occupied until any applicable building permits and occupancy permit are issued. The Occupancy Permit shall be renewed annually and shall include a property inspection under the City-adopted International Property Maintenance Code. Occupancy inspections prior to each guest arrival are not required.
2. Owners shall maintain a business license with the City of Ste. Genevieve under Municipal Code Chapter 605 Business Licensing. Owners shall be current on all City lodging tax payments.
3. Owners shall provide in a conspicuous location within the lodging unit at all times an operable ABC 5 lb. fire extinguisher.
4. Owners shall insure prior to each guest arrival, that exterior lighting at the entry door and stairway is operable.
5. No amplified music shall be played outside after 10 pm.
6. Owners shall post in a conspicuous location within the dwelling rules and conditions posted herein for guests to observe. It shall contain emergency telephone numbers of the Owners, the Police Department and Fire Department. It shall include a copy of the current Occupancy Permit. Owners shall provide phone number and address of the City of Ste. Genevieve's Building Department for any complaints about the condition of the property or services provided incident to the guests' stay.
7. Owner shall provide empty and clean trash receptacles at the property on the first day of each booked guest period for guest use. Owner shall legally dispose of guest trash and recyclables within 24 hours of any guest departure. Legal disposal includes storage of accumulated trash in approved receptacles or containers in such manner as not to create a nuisance. Trash receptacles shall not be placed at the street curb except on designated days by the Solid Waste hauler.
8. The applicant is to provide not less than two (2) off-street parking spaces for use by guests.
9. The exterior yard shall be maintained at all times.

*Note: Staff recommendation does not constitute Commission action.*

SUP001-22

CITY OF STE. GENEVIEVE, MISSOURI  
165 S. Fourth Street  
Ste. Genevieve, MO 63670  
Phone (573) 883-5100 Fax (573) 883-8105  
Special Use Permit Application

FEE: \$50.00  
PAID:

DATE RECEIVED:

RECEIVED  
OCT 13 2021

PLEASE PRINT OR TYPE (BLACK INK ONLY)

**SECTION A.**



- 1. Street Address of Tract or Tracts:  
409 Le Compte St. Sainte Genevieve, MO 63670
- 2. Names and Addresses of All legal owners of tract(s).  
Marshall and Jinette Brautigam  
P.O. Box 2026  
Chester, CA 96020

- 3. Current Zoning Classification:
 

A (Agricultural) <input type="checkbox"/>	I-1 (Light Industrial) <input type="checkbox"/>
MH (Mobil Home Park) <input type="checkbox"/>	I-2 (Heavy Industrial) <input type="checkbox"/>
R-1 (Single Family Residential) <input checked="" type="checkbox"/>	C-1 (General Commercial) <input type="checkbox"/>
R-2 (General Residential) <input type="checkbox"/>	C-2 (Central Business) <input type="checkbox"/>
C-4 (Neighborhood Commercial) <input type="checkbox"/>	

- 4. Is this property located in a historic district?  Yes  No

- 5. Signatures of All persons listed in Item #2.
 

<u>Brautigam, Marshall</u>	<small>Digitally signed by Brautigam, Marshall Date: 2021.10.13 07:27:57 -0700</small>
PRINTED OR TYPED NAME	SIGNATURE 
<u>Jinette Brautigam</u>	
PRINTED OR TYPED NAME	SIGNATURE

- 6. Contact for Application:
 

Name: Marshall Brautigam

Address: P.O. Box 2026 Chester, CA 96020

Phone: (530) 249-2077

I state upon my oath that all the information contained in this application is true and correct:

**CITY OF STE. GENEVIEVE, MISSOURI**

*165 S. Fourth Street*

*Ste. Genevieve, MO 63670*

*Phone (573) 883-5400 Fax (573) 883-8105*

**Special Use Permit Application**

PLEASE PRINT OR TYPE (BLACK INK ONLY)



**Applicant's Signature**

**SECTION B.**

1. Legal description of tract(s)

409 Le Compte St. Sainte Genevieve, MO 63670

2. Attach to this application a **scaled plat** of the tract(s), with **all** of the following information included:

- a: All boundary dimensions
- b: All adjoining streets and alleys.
- c: All present improvements.
- d: All intended improvements.
- e: All adjoining and cornering property lines and references to all owners listed in

Section C.

**SECTION C:**

1. Names and addresses of all adjoining property owners. (Include land which corners on tract or which is across streets or alley-ways). (Use or attach additional pages if necessary)

**With this application, the applicant must provide to the Planning and Zoning Administrator a stamped, plain business (legal-size) envelope addressed to each adjoining property owner.**

ATTACHED

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**CITY OF STE. GENEVIEVE, MISSOURI**  
165 S. Fourth Street  
Ste. Genevieve, MO 63670  
Phone (573) 883-5400 Fax (573) 883-8105  
**Special Use Permit Application**

PLEASE PRINT OR TYPE (BLACK INK ONLY)

**SECTION D.**

1. State the use to which this tract will be put if the SUP is granted. Attach plans, pictures, and/or drawings.

The house will be used as a short term  
vacation rental (VRBO) until it becomes our  
primary residence when we retire in 2023

2. Is a transfer of the ownership of the tract dependent upon the granting of the SUP?

YES  NO

3. Please indicate if the proposed use will involve any of the following:

- Gasoline Storage and/or use
- Storage and/or use of other flammable liquids
- Storage and/or use of explosives or chemicals
- Advertising signs or other display
- Fence
- Machinery or heavy equipment
- Trash/refuse/garbage generation

Please explain if any of the items above are indicated: \_\_\_\_\_

\_\_\_\_\_

4. What other uses will exist on the premises? \_\_\_\_\_  
None

5. Has there been a prior application for rezoning, special use permit or variance for this tract?  
If so, give the date and state the prior action taken.

N/A

**CITY OF STE. GENEVIEVE, MISSOURI**

*165 S. Fourth Street*

*Ste. Genevieve, MO 63670*

*Phone (573) 883-5400 Fax (573) 883-8105*

**Special Use Permit Application**

PLEASE PRINT OR TYPE (BLACK INK ONLY)

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**SECTION E.**

1. State the reason why you believe the requested Special Use Permit will be beneficial to you and/or the neighborhood. If you believe that a hardship will result if the SUP is denied, please elaborate.

It will be beneficial to the community to provide additional attractive period relevant lodging for all the events in the historic district. It will benefit us by defraying the cost of our mortgage until we move in.



**CITY OF STE. GENEVIEVE, MISSOURI**

*165 S. Fourth Street*

*Ste. Genevieve, MO 63670*

*Phone (573) 883-5100 Fax (573) 883-8105*

**Special Use Permit Application**

PLEASE PRINT OR TYPE (BLACK INK ONLY)

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**THIS SECTION TO BE COMPLETED BY PLANNING & ZONING ADMINISTRATOR**

**Application Address:** 409 LeCompte

**Applicant Name:** Marshall & Jinette Brantigan

**Date of Planning and Zoning Meeting:** 11/9

**Planning and Zoning Commission:**  Approved  Denied

**Date of Board of Alderman Meeting:** 11/18/21  Approved  Denied

**Received By:** DB

**Date & Time:** 10/13/21

CITY OF STE. GENEVIEVE, MISSOURI  
165 S. Fourth Street  
Ste. Genevieve, MO 63670  
Phone (573) 883-5400 Fax (573) 883-8105  
Special Use Permit Application

SUP001-22

PLEASE PRINT OR TYPE (BLACK INK ONLY)

**POLICE CHIEF'S REVIEW:**

1. In your opinion, will the proposed use substantially increase traffic or congestions?

( ) YES (Please Explain Below)

NO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Please indicate if there are other law enforcement concerns:

NA

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Police Chief's Signature

10-28-2021

Date

**FIRE CHIEF'S REVIEW**

1. In your opinion, will the proposed use substantially increase fire hazards?

( ) YES (Please Explain Below)

( ) NO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Please indicate if there are other fire protection concerns:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fire Chief's Signature

Date

CITY OF STE. GENEVIEVE, MISSOURI  
165 S. Fourth Street  
Ste. Genevieve, MO 63670  
Phone (573) 883-5400 Fax (573) 883-8105  
Special Use Permit Application

PLEASE PRINT OR TYPE (BLACK INK ONLY)

**POLICE CHIEF'S REVIEW:**

1. In your opinion, will the proposed use substantially increase traffic or congestions?

( ) YES (Please Explain Below)

( ) NO

---

---

---

2. Please indicate if there are other law enforcement concerns:

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---

---

---

\_\_\_\_\_  
Police Chief's Signature

\_\_\_\_\_  
Date

**FIRE CHIEF'S REVIEW**

SUP 001-22

1. In your opinion, will the proposed use substantially increase fire hazards?

( ) YES (Please Explain Below)

NO

---

---

---

2. Please indicate if there are other fire protection concerns:

NONE

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---

---



Fire Chief's Signature

10/27/21

Date

**State of Missouri  
County of Ste. Genevieve**

I hereby certify that the within Instrument  
was filed on: **9/2/2021 3:54 PM**  
**Number of Pages: 2**  
**Fees: \$27.00 Doc # 2021-3358**  
*Peggy Yarnitz, Recorder*



*Annette Rottke*  
Deputy Recorder

**GENERAL WARRANTY DEED**

THIS DEED, made and entered into this 2nd day of September, 2021  
By and between, Grantor

**KENNETH J. NAEGER and DONNA M. NAEGER, husband and wife**

Of the County of Ste. Genevieve, State of Missouri, party or parties of the first part; and Grantee,

**MARSHALL C. BRAUTIGAM and JINETTE L. BRAUTIGAM, husband and wife**  
**PO BOX 2026**  
**Chester, CA 96020**

Of the County of Ste. Genevieve, State of Missouri, party or parties of the second part.

WITNESSETH, that the party or parties of the first part, for and in consideration of the sum of One Dollar and other valuable considerations paid by the said party or parties of the second part, the receipt of which is hereby acknowledged, does or do by these presents GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the said party or parties of the second part, the following described Real Estate, situated in the County of Ste. Genevieve and State of Missouri, to-wit:

Part of United States Survey No. One Hundred Ninety-nine (199), confirmed to Paul Robert's legal representatives, situated in the City of Ste. Genevieve, State of Missouri, described as follows, to-wit: Begin at the Northwest corner of Fourth and LeCompte Streets, running Westwardly with LeCompte Street Eighty-seven (87) feet to the Southeast corner of lot of Mrs. Louise B. Bauman, now or formerly owned by Charles F. Kohm; thence Northwardly with said line of Charles F. Kohm property, One Hundred Fifty (150) feet, to a corner; thence Eastwardly parallel with LeCompte Street, Eighty (80) feet; thence Southwardly, One Hundred Fifty (150) feet, to the place of beginning. Being the same real estate conveyed to Barth Eichenlaub by Walter D. Koehler and wife by deed dated July 28th, 1909, recorded in Book 73 Page 7 of the land records of Ste. Genevieve County, Missouri.


SUBJECT to easements, reservations or restrictions on record or in effect.

Being the same property as described in Document #2015-2309 and Document #2021-2531 of the land records of Ste. Genevieve County, Missouri.

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever. The said party or parties of the first part hereby covenanting that said party or parties and their heirs, executors and administrators of such party or parties, shall and will WARRANT AND DEFEND the title to the premises unto the said party or parties of the second part, and to the heirs and assigns of such party or parties forever, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party or parties of the first part has or have hereunto set their hand or hands the day and year first above written.

  
Kenneth J. Naeger

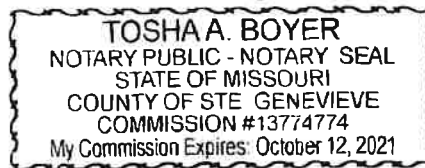
  
Donna M. Naeger

STATE OF MISSOURI                    )  
  ) SS  
COUNTY OF STE. GENEVIEVE        )

On this 2nd day of September, 2021, before me personally appeared Kenneth J. Naeger and Donna M. Naeger, husband and wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

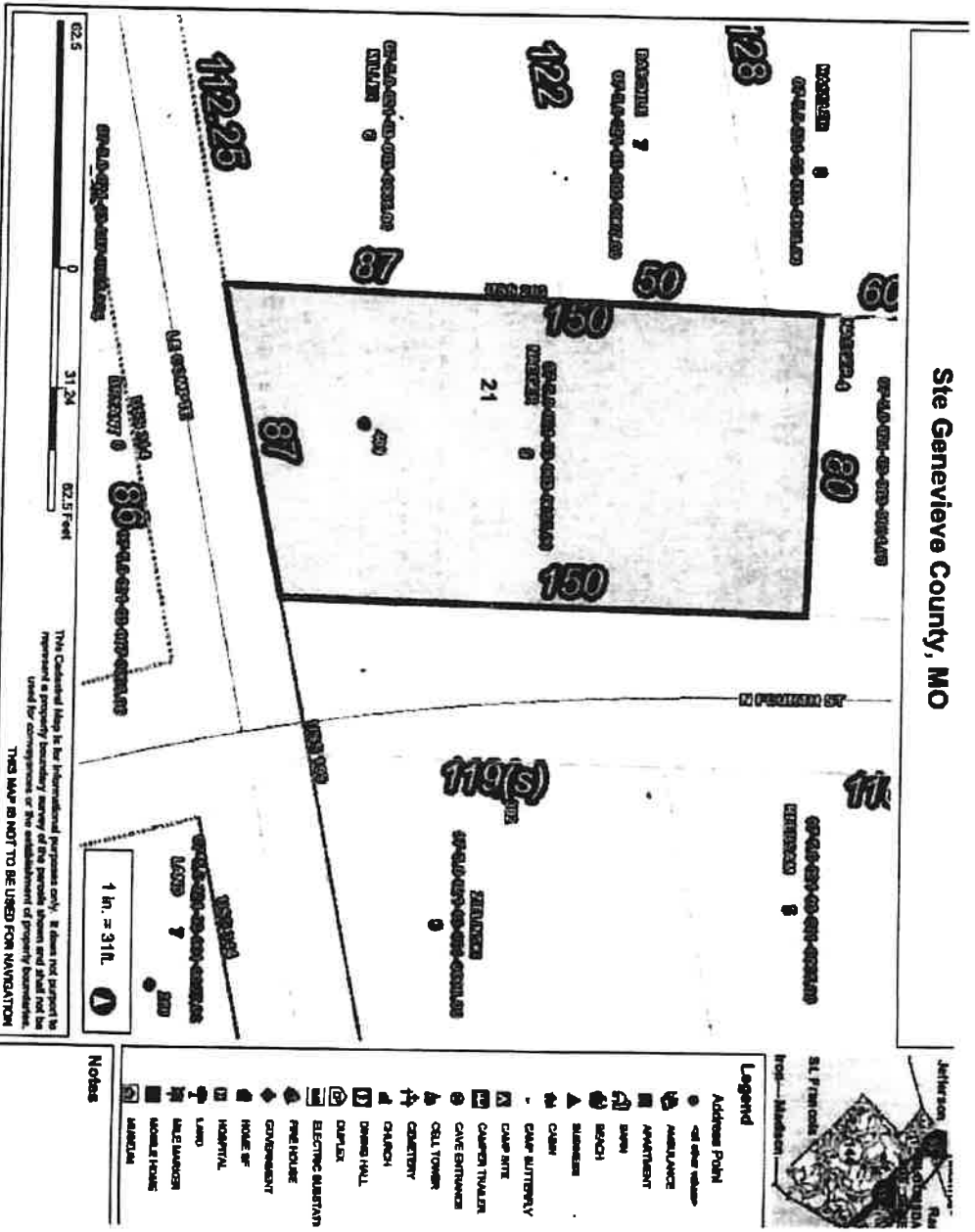
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

  
Notary



**Plat Map**

Borrower	Marshall & Jinetta Brautigam				
Property Address	409 Le Compe St				
City	Ste Genevieve	County	Ste Genevieve	State	MO Zip Code 63670
Lender/Client	Rocket Mortgage, LLC				



Ste Genevieve County, MO

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyance or the establishment of property boundaries. THIS MAP IS NOT TO BE USED FOR NAVIGATION

1 in. = 31ft.

**Legend**

- Address Point
- ▲ AIR FORCE
- ▲ AMPLIFIER
- ▲ BAY
- ▲ BEACH
- ▲ BUSINESS
- ▲ CAFE
- ▲ CAMP
- ▲ CAMP BUTTEWAY
- ▲ CAMP SITE
- ▲ CANYON TOWER
- ▲ CAVE ENTRANCE
- ▲ CELL TOWER
- ▲ CEMETERY
- ▲ CHURCH
- ▲ DINING HALL
- ▲ DUPLEX
- ▲ ELECTRIC SUBSTATION
- ▲ FIRE HOUSE
- ▲ GOVERNMENT
- ▲ HOME
- ▲ HOTEL
- ▲ LAND
- ▲ LAKE HOUSE
- ▲ MOUNTAIN
- ▲ MANSION

**Notes**

## Adjoining Property Owners to 409 LeCompte

Kenneth J & Donna M Naeger  
11208 Misplay Road  
Bloomsdale, MO 63627

Paul G & Mary C Hassler  
348 Academy  
Ste. Genevieve, MO 63670

Margaret Baechle  
336 Academy  
Ste. Genevieve, MO 63670

Carl & Sheila Miller  
451 LeCompte St  
Ste. Genevieve, MO 63670

Rodney Alan & Mary Ellen Ladd  
298 Academy  
Ste. Genevieve, MO 63670

Aaron & Gina Bryant  
992 S Gabouri St.  
Ste. Genevieve, MO 63670

Richard R Zielinski & Pam Koby  
302 N 4<sup>th</sup> St  
Ste. Genevieve, MO 63670

Willian J & Gail Ruebsam; Rev Living Trust  
812 Whispering Meadows  
Manchester, MO 63021

### Registered rental units adjoining property:

Shelbea Rhymer  
299 N 4<sup>th</sup> St  
Ste. Genevieve, MO 63670



## Welcome to The 1801 House

### Rules and information

- No Smoking (or vaping) in the house, if you smoke outside please pick-up and dispose of the cigarette butts.
- No pets are allowed on the property at any time.
- Check out time is no later than 11:00am
- Please clean up during behind yourselves and at the end of your stay. Trash cans are provided in the kitchen (under sink) and bathrooms. If you fill them up, please empty in the can provided outside.
- Before check-out please place all used towels, wash cloths and kitchen towels on the floor in front of the washing machine.
- All dishes and cookware used shall be washed and put away prior to check out.
- Please remember the cleaning fee is NOT a maid service for you. To keep cleaning costs reasonable for you, our guests doing these basic things allows for the entire home to be properly cleaned as well as all linens and towels washed and changed.
- The thermostats operate by touch screen, one upstairs, and one downstairs. When you check out please set appropriately when you leave. Winter-55, Summer-80.
- The garbage disposal has a safety switch to operate. Ensure the light switch to the left of the sink is on, to use push the silver button on the sink.
- Fire extinguisher is located in the pantry.
- No amplified music outside after 10:00pm.
- Important Phone numbers:

Emergency Fire, Police or Medical      911

Non-emergency Ste. Genevieve Police (573) 883-3999

City of Ste. Genevieve Building Department (573) 883-5400 (complaints about property)

Owner (contact through VRBO)

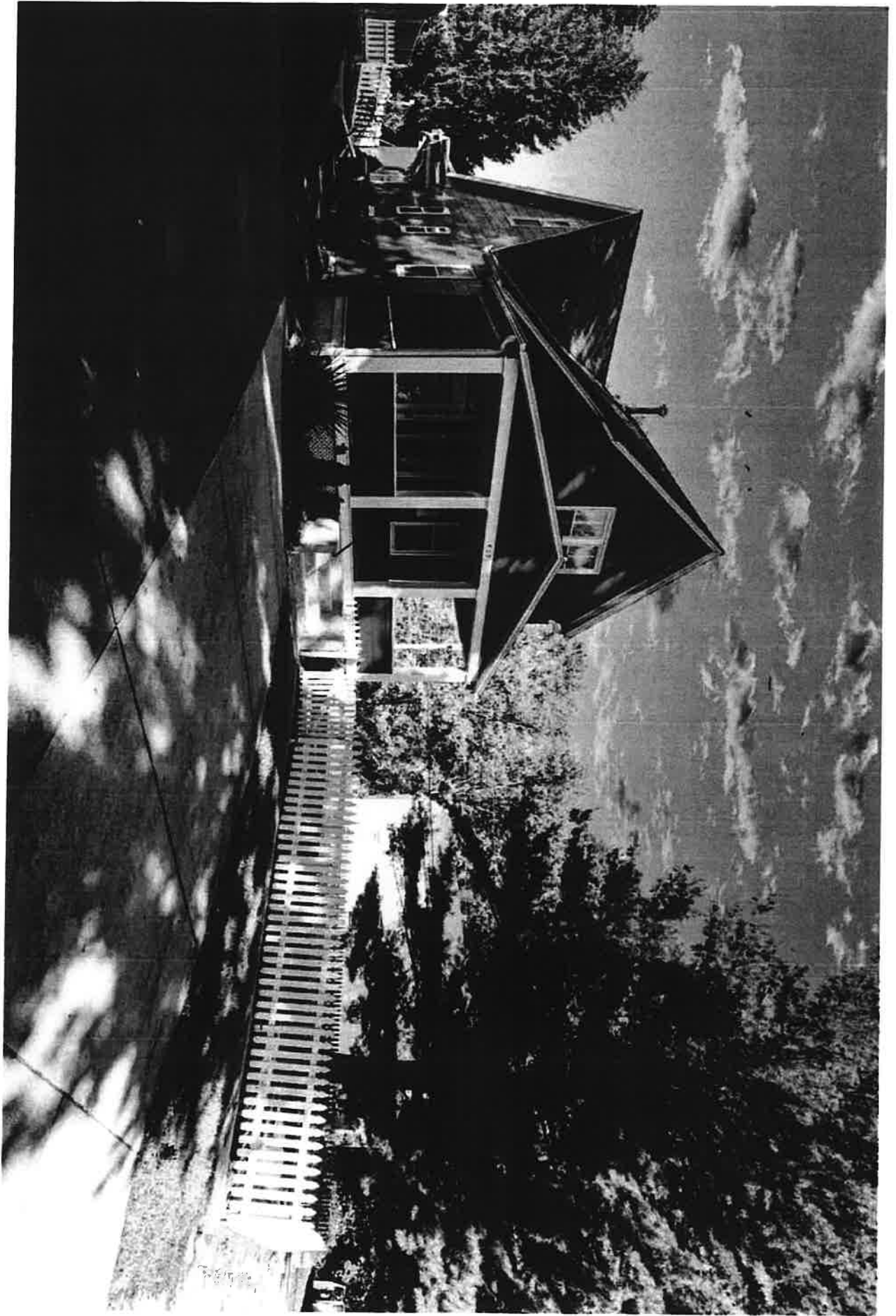














October 26, 2021

Marshall & Jinette Brautigam  
PO Box 2026  
Chester, CA 96020

Mr. & Mrs. Brautigam,

Enclosed please find a letter that was sent to the surrounding property owners of 409 LeCompte Street regarding your request for a special use permit. Your attendance is needed at the Planning & Zoning meeting and the Public Hearing for which your request will be discussed.

PLANNING & ZONING MEETING  
Tuesday, November 9<sup>th</sup> at 5:00 pm

PUBLIC HEARING – BOARD OF ALDERMAN (if approved by P&Z)  
Thursday, November 18<sup>th</sup> at 6:00 pm

These meetings will be held at City Hall. If you have any questions please call.

Sincerely,

David Bova  
Community Development Administrator

City of Ste. Genevieve  
165 S. Fourth Street, Ste. Genevieve, MO 63670  
573-883-5400





To: Surrounding Property Owners  
From: David Bova, Community Development Administrator  
Subject: Request for Special Use Permit  
Date: October 26, 2021

Marshal and Jinette Brautigam are requesting a Special Use Permit to operate a guest lodging house, commonly known as "Vacation Rental By Owner" or "AirBnb" at 409 LeCompte Street, which is in an R-1 Single Family Residential zoning district. Such use is permitted in an R-1 Residential Zoned District with a Special Use Permit.

The Planning and Zoning Commission for the City of Ste. Genevieve, Missouri will hold a public meeting on this request on Tuesday, November 9<sup>th</sup> at 5 pm at City Hall, 165 S. Fourth Street.

If approved by the Planning and Zoning Commission, The Board of Aldermen of the City of Ste. Genevieve, Missouri will hold a public hearing on the recommendations of the Planning and Zoning Commission on Thursday, November 18<sup>th</sup> at 6:00 pm at City Hall, 165 S. Fourth Street.

All interested parties are invited to attend.

Sincerely,

David Bova  
Community Development Director

**Run week of October 27 – 1 week only**

**NOTICE OF PUBLIC HEARING**

The Planning & Zoning Commission of the City of Ste. Genevieve, Missouri will hold a public meeting on Tuesday, November 9, 2021 at 5:00 PM at City Hall, 165 S. Fourth Street.

The Mayor and the Board of Aldermen of the City of Ste. Genevieve, Missouri will hold a public hearing on Thursday, November 18, 2021 at 6:00 p.m. at City Hall, 165 South Fourth Street.

The purpose of this hearing is to consider a request from Marshall and Jinette Brautigam for a special use permit to allow guest lodging at 409 LeCompte Street in an R-1 Single Family Residential District.

All interested parties are invited to attend.



## **Staff Report**

November 18, 2021

To: Board of Aldermen  
From: Happy Welch  
Re: Personnel Manual Changes



### **Issue:**

The state instituted the Victims' Economic Security & Safety Act (VESSA ) leave requirement for businesses with 20 or more employees. City of Ste. Genevieve has fewer than 20 employees now but the board felt it was important to support victims of abuse and their families and asked that we present adopting language to add to our Personnel Manual.

The board also determined this past summer that the city should adopt Juneteenth and rescind Municipal Election Day as recognized holidays for employees, which has to be amended in the Personnel Manual.

### **Recommendation:**

Approve the changes to the Personnel Manual.

**BILL NO. 4462**

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF STE. GENEVIEVE, MISSOURI AMENDING THE PERSONNEL MANUAL AS SET FORTH BELOW.**

**WHEREAS**, this ordinance is done pursuant to Chapter 120, Personnel, Section 120.010, Personnel Manual Adopted, to revise the Personnel Policy (Exhibits attached) for the City of Ste. Genevieve, Missouri (“City”), and;

**WHEREAS**, the Personnel Policy is the guide for all departments to follow for proper employment practices and is a guide for employment with the City, and;

**WHEREAS**, the Personnel Policy is a separate document detached from the codebook with a copy retained in the city clerk’s office, and;

**WHEREAS**, the amended changes proposed to the Personnel Policy have been reviewed by the Board of Aldermen who believe these changes are in the best interests of the City;

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF STE. GENEVIEVE, MISSOURI AS FOLLOWS:**

**SECTION 1. Section 601 “Holidays”** is hereby deleted in its entirety and replaced with Exhibit “A” attached hereto and made part of this ordinance.

**SECTION 2. Section 611 “Victims’ Economic Security & Safety Act (VESSA) Leave”** is hereby added to the City of Ste. Genevieve Personnel manual as set forth in Exhibit “B” attached to and made part of this ordinance.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its date of passage.

**SECTION 4. REPEALER.** All ordinance and parts thereof in conflict with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5. SEVERABILITY.** The invalidity of any section, clause, sentence or provision of this ordinance shall be given effect without such invalid part or parts.

**DATE OF FIRST READING:** \_\_\_\_\_.

**DATE OF SECOND READING:** \_\_\_\_\_.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021 BY A ROLL CALL VOTE OF THE BOARD OF ALDERMEN AS FOLLOWS:**

**VOTE**

**ALDERMAN GARY SMITH  
ALDERWOMAN SUSAN JOHNSON  
ALDERMAN BOB DONOVAN  
ALDERMAN MIKE JOKERST  
ALDERMAN JEFFREY EYDMANN  
ALDERMAN MICHAEL RANEY  
ALDERWOMAN ASHLEY ARMBRUSTER  
ALDERMAN JOE PRINCE**

**\_\_\_YES \_\_\_NO \_\_\_ABSENT**

Approved as to Form:

\_\_\_\_\_  
Paul Hassler, Mayor

\_\_\_\_\_  
Mark Bishop, City Attorney

SEAL

Reviewed by:

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Pam Meyer, City Clerk

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Happy Welch, City Administrator

## CITY OF STE. GENEVIEVE PERSONNEL MANUAL

### 601 Holidays.

Effective Date:

The City of Ste. Genevieve will grant holiday time off to all eligible employees on the holidays listed below:

- |   |   |
|---|---|
| *New Year's Day (January 1)                 | *Martin Luther King, Jr. Day (3rd Monday - January) |
| *Presidents' Day (third Monday in February) | *Good Friday (Friday before Easter)                 |
| *Memorial Day (last Monday in May)          | *Juneteenth ( June 19)                              |
| *Independence Day (July 4)                  | *Labor Day (first Monday in September)              |
| *Veterans' Day (November 11)                | *Thanksgiving (fourth Thursday in November)         |
| *Friday after Thanksgiving                  | *Christmas Eve (December 24)                        |
| *Christmas (December 25)                    |   |

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- |                              |                         |
|------------------------------|-------------------------|
| *Regular full-time employees | *Introductory Employees |
|------------------------------|-------------------------|

To be eligible for holiday pay, employees must work or have an excused absence for the last scheduled day immediately preceding and the first scheduled day immediately following the holiday.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible, nonexempt employees work on a recognized holiday they will receive wages at one and one-half times their straight-time rate for the hours worked on the holiday, plus straight time pay for the eight (8) hours of the holiday. When a nonexempt police officer works on a holiday that falls on Saturday or Sunday, he/she will receive compensation for eight (8) hours of holiday pay, in addition to regular wages.

**CITY OF STE. GENEVIEVE PERSONNEL MANUAL****611 Victims' Economic Security & Safety Act (VESSA) Leave.**

Effective Date:

Employees who are victims of domestic or sexual violence, or have a family or household member who is a victim of domestic or sexual violence, may take unpaid leave from work to address such violence by:

- (1) Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's family or household member;
- (2) Obtaining services from a victim services organization for the employee or the employee's family or household member;
- (3) Obtaining psychological or other counseling for the employee or the employee's family or household member;
- (4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic or sexual violence or to ensure economic security; or
- (5) Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic or sexual violence.

An individual employee is entitled to up to one (1) work week of unpaid leave within any twelve (12) month period to address such matters. The City of Ste. Genevieve may request a certification from the employee that the employee, or a family member or household member of the employee, is in fact a victim of domestic violence or sexual violence before providing the unpaid leave of absence as set forth in this section.

The City of Ste. Genevieve must restore the employee to the position of employment held prior to the leave of absence granted pursuant to this policy and must maintain coverage for the employee, and any family member or household member covered under any group health plan, for the duration of such leave at the level and under the conditions the coverage would have been provided had the employee not been granted an unpaid leave pursuant to this policy. The City of Ste. Genevieve may recover from the employee the premium paid for maintaining the group health plan benefits if the employee fails to return from the leave of absence after the leave period has expired.

The terms "domestic violence" and "sexual violence", as used in this section, shall be defined as set forth in Section 285.625 of the Revised Statutes of the State of Missouri.