The regular meeting of the Board of Aldermen of the City of Des Peres, Missouri was held at the Des Peres Government Center, 12325 Manchester Road beginning at 7:00 P.M. on Monday July 25, 2005.

ROLL CALL

The City Clerk took roll with the following members present: Mayor Lahr, Alderman Pound, Alderman Raczkiewicz, Alderman Doering, Alderman Fingerhut, Alderman Kleinschmidt and Alderman Gmelich.

Staff members present include: City Administrator, City Attorney, Assistant to the City Administrator, City Clerk, Director of Public Works, Director of Finance, Director of Parks & Recreation, and the Director of Public Safety.

SPECIAL PRESENTATION:

Boys State - The Mayor & Board of Aldermen held a brief ceremony to honor three local boys: Nathan Gilbert, DeSmet High School; Matthew Harms, John F. Kennedy High School; and Cory Pratt, Kirkwood High School who recently participated in a program sponsored by the American Legion known as “Boys State” at Central Missouri State University. All three boys, their families and Legion sponsors were invited to attend the Board meeting in order that they be publicly honored for their accomplishments. Each boy was presented with a Proclamation, outlining his accomplishments, from the City.

PUBLIC HEARING:

Petition for a Temporary Exterior Storage & Display Permit by Michaels Arts & Crafts, 12145 Manchester Road.

Petitioner, Michaels Arts & Crafts, petitioned the Board to allow for the operation of a sidewalk sale along the outside of their business July 26th – the 30th.

Mayor Lahr opened the public hearing. The City Clerk gave exhibits relating to the petition. The public was invited to comment. Regina Rutter, representing
Michaels was at the hearing in order to answer any questions from residents or the Board of Aldermen. Hearing none, Mayor Lahr closed the public hearing. The business of the public hearing to be taken up under New Legislation.

CITIZEN COMMENTS/PETITIONS

Mayor Lahr recognized the following Des Peres residents:

In-Fill Housing- Harwood Hills: Bob Ashcraft, 1543 Fawnvalley Drive, Spoke regarding the Harwood Hills Subdivision which has and continues to undergo substantial construction by way of tear-downs and new construction (9 active building sites 9 vacant tear down sites - 7 days a week), Due to the influx of construction traffic to this subdivision Mr. Ashcraft sites Traffic hazards, street closures for multiple hours, dirty streets, scattered dirt and rock along roadways, trenching of yards without owners authorization and unauthorized use of water by subcontractors as concerns which he and his neighbors share.

Mayor Lahr advised Mr. Ashcraft that the Board share his concerns with regard to in-fill housing in Des Peres which has prompted the formation, by the City, of an In-fill Housing Committee within the Planning & Zoning Commission to study and propose legislation relating to in-fill construction. Mayor Lahr further advised that he would expect legislation, to include a comprehensive set of regulations for in-fill housing projects, be ready for Board consideration in August or September of this year.

Dougherty Oaks (Fairoyal Drive Public Safety Issues): Tom & Colleen Keusenkothen, 2351 Fairoyal Drive; Brett Miller, 2369 Fairoyal Drive and Randy Welcher, 2319 E. Royal Court speaking on behalf of their neighbors brought concerns regarding public safety issues along Fairoyal Drive in the Dougherty Oaks Subdivision to this evenings meeting. Their concern being the rate of speed at which many drive along Fairoyal and the inherent dangers that speeding vehicles bring to a community. They are grateful to the Public Safety Department for past time and attention to their concerns and now are looking to the Board for a more permanent solution.

Mayor Lahr acknowledged the cities response to resident complaints by increasing police patrols to the area within the past month in order to track concerns of neighbors. He also stated that staff is actively seeking a solution to the neighbors concerns by studying the pros and cons of traffic calming devices, and other reasonable solutions. Upon completion of the staff report the Board will be further advised of staff’s suggestions and at that time further consideration will be given to a solution to the problem of speed along Fairoyal Drive. Mayor Lahr agreed to share staff’s findings with the contingent present this evening upon submission to the Board of Aldermen.
CONSENT AGENDA

Mayor Lahr presented the consent agenda to include:

- Minutes of the June 20th regular meeting.
- Amended Warrant List dated July 25th.
- R05-1566 Acknowledging Receipt of the 2004 Audit Report
- R05-1567 Readoption of Ordinance Regulating requirements and policies to disclose conflicts of interest (Annual Ethics Disclosure).
- R05-1568 Authorizing a contract with McGrath & Assoc. for removal and replacement of the cupola at the Des Peres Government Center.
- R05-1569 Authorizing a contract with Stephens Floor Covering for replacement of carpeting at the Public Safety Building.
- R05-1570 Authorizing a contract with Chesterfield Fence & Deck for construction of a fishing dock in Des Peres Park.

Alderman Doering moved to approve the consent agenda, second by Alderman Fingerhut, a roll call vote was taken with the following results: Alderman Pound, Yes; Alderman Fingerhut, Yes; Alderman Raczkiewicz, Yes; Alderman Doering, Yes; Alderman Kleinschmidt, Yes; Alderman Gmelich, asked that the record reflect that while she would be voting Yes on the consent agenda an exception be noted to abstain from voting on the line item on the warrant list for Curtis Oetting et al since she is employed by that law firm. Motion carried 6-0.

REPORT OF OFFICERS & COMMITTEES:

Mayor Lahr submitted the following nominations for appointment to city boards and commissions:

**Board of Adjustment**
- Cynthia Kardesch  Ward 1  Term to expire 5-31-2010
- Thomas Greenman  Ward 2  Term to expire 5-31-2010
- Ray Griesedieck  Ward 2  Term to expire 5-31-2010
- Mark Bahn  Ward 3  Term to expire 5-31-2010

**Parks & Recreation**
- Craig Ragland  Ward 1  Term to expire 6-30-2008
- Sharon Godwin  Ward 2  Term to expire 6-30-2008
- John Gnagi  Ward 3  Term to expire 6-30-2008

**Audit & Finance**
- Judy Mundle  Ward 2  Term to expire 6-30-2008
Planning & Zoning
Barbara Pohle Ward 2 Term to expire 6-30-2009

Alderman Gmelich moved to approve the nominations as submitted. Second by Alderman Raczkiewicz. A roll call vote was taken with the following results: Alderman Kleinschmidt, Yes; Alderman Pound, Yes; Alderman Doering, Yes; Alderman Gmelich, Yes; Alderman Raczkiewicz, Yes. Vote in favor being unanimous motion carried 6-0.

Public Safety Commission: Pursuant to City Ordinance Public Safety Commission members are nominated by Alderman of the Ward where appointment is required. Aldermen Doering and Fingerhut submitted into nomination the name of JoAnn Sullivan for appointment to the Public Safety Commission from Ward 3, term will expire 6-30-2007.

Alderman Doering moved, second by Alderman Fingerhut to approve the nomination of JoAnn Sullivan to the Public Safety Commission as above stated. A roll call vote was taken with the following results: Alderman Pound, Yes; Alderman Doering, Yes; Alderman Gmelich, Yes; Alderman Raczkiewicz, Yes; Alderman Fingerhut, Yes; Alderman Kleinschmidt, Yes. Vote in favor being unanimous motion carried 6-0.

Election of Board Officers 2005-2006

Mayor Lahr presented the Board Officers & Representatives for 2005-2006 and entertained a motion to approve as presented:

President of the Board John Pound
Planning & Zoning Paul Raczkiewicz
Public Safety Paul Fingerhut
Parks & Recreation Jim Kleinschmidt
Audit & Finance Jim Doering
Board of Adjustment Kathleen Gmelich

Motion by Alderman Doering, second by Alderman Pound to approve the board assignments for 2005-2006 as above stated.

A roll call vote was taken with the following results: Alderman Gmelich, Yes; Alderman Kleinschmidt, Yes; Alderman Doering, Yes; Alderman Pound, Yes; Alderman Fingerhut, Yes; Alderman Raczkiewicz, Yes. Vote in favor being unanimous, motion carried 6-0.
LEGISLATION – Unfinished Business

Bill 05-2340  An Ordinance Approving the Record Plat for the Arbors at Sugar Creek Subdivision

The purpose of Bill 2340 is to approve the record plat for The Arbors at Sugar Creek, an 8.8 acre subdivision located at 701 Des Peres Road, to be divided into 15 lots. P & Z have approved the improvement plans and final subdivision plan, and recommends approval of the Record Plat.

The matter of Bill 2340 was continued pursuant to the request of Jim Holtzman, Miracle Design. The business of the bill will be continued to the August 8th meeting of the Board of Aldermen.

LEGISLATION – New Business

Bill 05-2342  An Ordinance Amending the 2005 Compensation Plan Relating to the Director of Finance

The purpose of Bill 2342 is to amend the compensation ordinance for 2006 to give the Director of Finance a pay increase Commensurate with completion of her first-year of employment.

Alderman Doering gave first reading to Bill 2342 and moved to waive the rules to allow for second reading on the night of introduction, second by Alderman Pound. A roll call vote was taken with the following results: Alderman Kleinschmidt, Yes; Alderman Doering, Yes; Alderman Pound, Yes Alderman Gmelich, Yes ; Alderman Fingerhut, Yes; Alderman Raczkiewicz, Yes. Vote in favor being unanimous motion carried 6-0.

Alderman Doering gave second reading to Bill 2342 and moved for approval. Second by Alderman Raczkiewicz. A roll call vote was taken with the following results: Alderman Gmelich, Yes; Alderman Kleinschmidt, Yes; Alderman Fingerhut, Yes; Alderman Doering, Yes; Alderman Raczkiewicz, Yes; Alderman Pound, Yes. Vote in favor being unanimous, motion carried 6-0.

Mayor Lahr announced that Bill 2342 having received a majority vote in favor would stand approved and become Ordinance 2332 upon his signature.

Bill 05-2343  An Ordinance Adopting the Revised Building, Plumbing and Mechanical Codes of St. Louis County as the Building, Plumbing and Mechanical Codes of the City of Des Peres.
The purpose of Bill 2343 is to amend the muni code to adopt updated building, plumbing and mechanical codes in order to conform to the codes adopted by St. Louis County inasmuch as the City contracts with St. Louis County, with some exceptions, plan review and inspection services.

Alderman Fingerhut introduced Bill 2343 and gave first reading.

**Bill 05-2344 An Ordinance Adopting the 2003 International Fire Code as the Fire Code of the City of Des Peres, Missouri.**

The purpose of Bill 2344 amends the muni code to adopt the 2003 International Fire Code as the Fire Code of the City.

Alderman Pound introduced Bill 2344 and gave first reading.

**Bill 05-2345 An Ordinance Amending the Municipal Code of the City of Des Peres, Missouri relating to prevention and reduction of pollution in storm water runoff.**

The purpose of Bill 2345 is to amend sections of the Muni Code relating to removal of animal feces from public and private property as recommended under the Phase II Stormwater Regulations of the Clean Water Act.

Alderman Gmelich introduced Bill 2345 and gave first reading.

**Bill 05-2346 An Ordinance Amending Ordinance #2056 Granting a CUP for Operation of an Assisted Living Center at 13460 Manchester Road to CNL Retirement Sun 2 Des Peres LLC**

The purpose of Bill 2346 amends the CUP for Sunrise Assisted Living to transfer the permit from the original corporate entity to CNL Retirement Sun 2 Des Peres Mo, LP. No other changes are requested from the original CUP.

Attorney Ray Griesdieck, attorney for CNL, was present to answer any questions by the Board.

Alderman Pound gave Bill 2346 first reading and moved to waive the rules to allow for second reading on the night of introduction, second by Alderman Fingerhut. A roll call vote was taken with the following results: Alderman Fingerhut, Yes; Alderman Raczkiewicz, Yes; Alderman Gmelich, Yes; Alderman Pound, Yes; Alderman Doering, Yes; Alderman Kleinschmidt, Yes. Vote in favor being unanimous motion carried 6-0.

Alderman Pound gave Bill 2346 second reading and moved for approval, second by Alderman Gmelich. A roll call vote was taken with the following results. Alderman Doering, Yes; Alderman Fingerhut, Yes; Alderman Pound, Yes;
Alderman Raczkiewicz, Yes; Alderman Kleinschmidt, Yes; Alderman Gmelich, Yes. Vote in favor being unanimous, motion carried 6-0.

Mayor Lahr announced that Bill 2346 having received a majority vote in favor would stand approved and become Ordinance 2333 upon his signature.

Resolution 05-1571 Authorizing a Contract with Pierce Mfg for purchase of a 2006 rescue pumper for the Department of Public Safety

This pumper will replace an older model to be retired and is expected to serve the community for a minimum of 12 years.

Alderman Raczkiewicz introduced R-1571 and moved for approval, second by Alderman Gmelich. A roll call vote was taken with the following results. Alderman Pound, Yes; Alderman Doering, Yes; Alderman Kleinschmidt, Yes; Alderman Raczkiewicz, Yes; Alderman Fingerhut, Yes; Alderman Gmelich, Yes. Vote in favor being unanimous, motion carried 6-0.

Resolution 05-1572 Authorizing Sidewalk Sale for Michaels Arts & Crafts, 12145 Manchester Road (July 26-303, 2005)

This being the subject of this evening’s public hearing Alderman Raczkiewicz introduced R1572 and moved for approval. A roll call vote was taken with the following results. Alderman Pound, Yes; Alderman Doering, Yes; Alderman Kleinschmidt, Yes; Alderman Raczkiewicz, Yes; Alderman Fingerhut, Yes; Alderman Gmelich, Yes. Vote in favor being unanimous, motion carried 6-0.

REPORTS FROM STAFF

City Administrator –

Doug Harms reminded the Board that he will begin his medical leave on August 1st through the 12th of September. He asked that the Board approve the appointment of Jason McConachie as Acting City Administrator in his absence to handle personnel matters.

Alderman Pound moved to appoint Jason McConachie to serve as Acting City Administrator during the period of the City Administrators medical leave of absence in order to handle any personnel issues which may arise. Second by Alderman Gmelich. A roll call vote was taken with the following results: Alderman Gmelich, Yes; Alderman Fingerhut, Yes; Alderman Raczkiewicz, Yes; Alderman Pound, Yes; Alderman Doering, Yes; Alderman Kleinschmidt, Yes. Vote in favor being unanimous, motion carried 6-0.
Public Safety –

Director of Public Safety, Chief Bridges, reminded the Board that his staff have been in contact with numerous subdivisions who have requested public safety apparatus at their National Night out parties to be held during the evening hours of August 2\textsuperscript{nd}. Public Safety will update the Mayor and Alderman as the subdivisions are scheduled.

Public Works –

Director of Public Works, Dennis Knock reported that P&Z would meet August 10\textsuperscript{th} Agenda to include a petition for a second Medical Office Building at Des Peres Hospital and a petition for CUP for a new Medical Office Building on the current site of The Olive Garden.

Further, the Director requested a work session for August 8\textsuperscript{th} in order to discuss PH Weiss & Associates proposed bridge enhancements and Manchester Road beautification projects.

ADJOURNMENT:

There being no further business to come before the Board, Alderman Fingerhut moved to adjourn, second by Alderman Gmelich. A roll call vote was taken with the following results: Alderman Fingerhut, Yes; Alderman Pound, Yes; Alderman Raczkiewicz, Yes; Alderman Doering, Yes; Alderman Doering, Yes; Alderman Gmelich, Yes; Alderman Kleinschmidt, Yes. Vote in favor being unanimous, motion carried 6-0.

Regular session of the Board of Aldermen adjourned at 8:30 PM.

City Clerk

Minutes approved as submitted August 8, 2005.

Rick Lahr, Presiding Officer

Approved this 8\textsuperscript{th} day of August, 2005.

Rick Lahr, Mayor

ATTEST:

Linda M. Schulte, City Clerk