

**MINUTES
BOARD OF ALDERMEN
JANUARY 9, 2023
DES PERES GOVERNMENT CENTER**

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 63131, commencing at 7:00 P.M. on Monday, January 9, 2023.

ROLL CALL

The Assistant City Administrator took roll call with the following elected officials physically present: Alderman Barrett, Alderman Concagh, Alderman Fitzpatrick, Alderman Kleinschmidt, Alderman Osherow and Alderman Pound. Mayor Becker was also present.

Staff members present included the City Administrator, Assistant City Administrator, City Clerk, Director of Finance, and the Director of Parks and Recreation.

All present rose for the Pledge of Allegiance.

SPECIAL PRESENTATION – Finance Director, Tracy Hansen presented Jason Martine (Staff Accountant) with the 2022 Employee of the Year Award. Jason was nominated by his peers in other departments. Ms. Hansen spoke highly of Jason, and recited kind words written from his peers.

AMENDMENT TO AGENDA – NONE

CITIZEN COMMENTS –

Mr. John Hessel – City Attorney at the City of Kirkwood – spoke in support of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned development Mixed District (PD-MXD) (Introduction & Discussion - Hold for Public Hearing January 23, 2023)

Mr. Dan Thies – Principal at Barn Owl LLC – Spoke in support of B23-2972; An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District (PD-MXD) (Introduction & Discussion - Hold for Public Hearing January 23, 2023)

Mayor Becker stated that any questions or concerns pertaining to B23-2972 can be brought up at the Public Hearing at the January 23rd Board of Aldermen Meeting.

CONSENT AGENDA

Mayor Becker announced that there were four (4) action items currently under the Consent Agenda. At the request of Mayor Becker, Alderman Fitzpatrick read aloud those items individually:

1. Minutes of the Board of Aldermen Meeting of December 12, 2022
2. Minutes of Special Board Meeting held December 27, 2022

3. Warrant List Dated January 5, 2023
4. R23-3650 Authorizing an On-Call Professional Services Agreement with Thouvenot, Wade and Moerchen (TWM) to Perform a Topographic Survey of the Public Safety Building

Mayor Becker asked if there were any questions or comments pertaining to the consent agenda. Hearing none, Alderman Concagh made a motion, seconded by Alderman Osherow to approve the four action items on Consent Agenda as proposed. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

REPORTS OF OFFICERS AND COMMITTEES

• Report of the Mayor – Appointments

- Appointment of Mitch Stevens to the Board of Adjustment Commission
- Appointment of Conor Ward to the Audit and Finance Committee
- Appointment of Giusppe Giardina to the Board and Adjustment Commission

Mayor Becker asked for approval of three appointments; Mitchel Stevens to the Board of Adjustment Commission (term to expire May 31, 2027), Conor Ward to the Audit and Finance Committee (term to expire June 30, 2024), and Giusppe Giardina to the Board of Adjustment (term to expire May 31, 2025).

Alderman Kleinschmidt made a motion, seconded by Alderman Barrett to approve the three appointees to their commission. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

• Reports of Boards and Commissions

- Report of the Planning & Zoning Commission Meeting Held December 14, 2022
- Report of the Public Safety Commission Meeting Held December 19, 2022

The Mayor asked if there were any questions or comments relating to the report. Hearing none, he ordered them filed and received.

LEGISLATION

Unfinished Business – NONE

New Business –

- a. **B23-2972** **An Ordinance Amending Appendix C: Zoning District Regulations of the Municipal Code of the City of Des Peres, Missouri to Allow Multi-Family Uses in the Planned Development Mixed District (PD-MXD) (Introduction & Discussion - Hold for Public Hearing January 23, 2023)**

Alderman Barrett read B23-2972 for the first time.

Mayor Becker stated B23-2972 will be held over until the January 23rd Board of Aldermen meeting for Public Hearing and second reading and passage/approval at that time.

b. B23-2973 An Ordinance Implementing A 90 Day Moratorium on the Issuance of Conditional Use Permits (Introduction & Consideration of Waiving the Rules for Consideration of Final Passage and Approval)

Chris Graville requested to waive the rules and have B23-2973 read for a second time tonight.

Alderman Kleinschmidt read B23-2973 for the first time.

Mayor Becker asked for a motion to waive the rules for second reading. Alderman Kleinschmidt made a motion, second by Alderman Concagh to approve B23-2973 for second reading. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

Alderman Kleinschmidt read B23-2973 for the second time.

Alderman Kleinschmidt made a motion, seconded by Alderman Concagh to approve B23-2973. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick. "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

c. B23-2974 An Ordinance Approving a Boundary Adjustment Plat Between Lots 672 and 676 Westledge Court in Brighton Heights Subdivision in (Introduction)

Alderman Fitzpatrick read B23-2974 for the first time.

Mayor Becker stated B23-2974 will be held over until the January 23rd Board of Aldermen Meeting for second reading and passage/approval at that time.

MISCELLANEOUS BUSINESS –

- **Report of the City Clerk - Election Filing for April 4, 2023 Municipal Election**
The City Clerk stated the final candidates for the for the April 4. 2023 Municipal Election, which include: Charles Billings for Municipal, James Osherow for Alderman Ward 1, James Kleinschmidt for Alderman Ward 2, and Sean Concagh for Alderman Ward 3. The City Clerk stated the certified list of candidates must be filed with the Board of Elections no later than 5:00PM on Tuesday, January 24th. That is also the deadline for putting any propositions on the April Ballot for April 2023.
- **Report of the City Administrator - Comprehensive Marijuana Dispensary Facilities**
 - i. Imposition of Moratorium on Consideration of Comprehensive Marijuana Dispensary Facility Licenses or Permits
 - ii. Regulation or Prohibition of Operation of Comprehensive Marijuana Dispensary Facilities [Refer to Planning & Zoning Commission]
 - iii. Imposition of 3.0% Sales Tax on Comprehensive Marijuana Sales

Alderman Concagh made a motion, seconded by Alderman Kleinschmidt to forward the three issues to the Planning and Zoning Commission. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", Alderman Osherow, "AYE", and Alderman Pound, "AYE". Motion passed 6-0.

ADJOURNMENT

Alderman Fitzpatrick made a motion, seconded by Aldermen Concagh to adjourn the Regular Meeting at 7:43 P.M.

Minutes Prepared by:

Amanda Hurley
City Clerk

Minutes approved by the Board of Aldermen on the 23rd day of January, 2023.

Mark Becker, Mayor

ATTEST:

Amanda Hurley
City Clerk