

**MINUTES  
BOARD OF ALDERMEN  
MARCH 27, 2023  
DES PERES GOVERNMENT CENTER**

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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, March 27, 2023.

**ROLL CALL**

The City Clerk 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, Director of Public Works, Director of Public Safety, and City Attorney.

All present rose for the Pledge of Allegiance.

**AMENDMENT TO AGENDA – NONE**

**PRESENTATION**

Megan Eldridge, City Clerk with the City of Wildwood and Savanna Burton, City Clerk with the City of Florissant recognized Des Peres City Clerk, Amanda Hurley, for receiving her Certified Municipal Clerk (CMC) designation from the International Institute of Municipal Clerks (IIMC)

**PUBLIC HEARING**

- **Temporary Outside Sale/Display/Storage Permit**  
**Petitioner: Carrollton Bank, 11692 Manchester**  
**Date of Event: June 9, 2023**

The City Clerk read aloud the following exhibits relative to the Public Hearing:

1. Letter from Carrollton Bank requesting a permit to hold a Customer Appreciation Event
2. Outside Sales/Display/Storage Permit dated January 9, 2023
3. Resolution 23-3674 Authorizing a Temporary Outside Sale, Display and Storage Permit for a "Customer Appreciation Event" at Carrollton Bank, 11710 Manchester Road on Friday, June 9, 2023
4. Municipal Code of the City of Des Peres

Mayor Becker stated the four exhibits were received and made a part of the record.

- **Application for Missouri Ground Ambulance Transport License**  
**Petitioner: Midwest Medical Transport**

The City Clerk read aloud the following exhibits relative to the Public Hearing

1. Email from Cody Dansuer with Midwest Medical requesting inter-facility transfers from St. Luke's Hospital.

2. Email from Andrew Bagnall, President and CEO of St. Luke's hospital supporting Midwest Medicals request.
3. Resolution 23-3675 Endorsing Issuance of a Ground Transportation License by the Missouri Department of Health and Senior Services to Midwest Medical Transport Company to Perform Inter-facility Ground Transports within the City of Des Peres Pursuant to RSMO 190.109 Ground Ambulance.
4. Municipal Code of the City of Des Peres

Mayor Becker stated the four exhibits were received and made a part of the record.

Cody Dansuer with Midwest Medical gave a brief synopsis on his request for interfacility transfers from St. Luke's Hospital. City Administrator stated Midwest Medical is required to have an issuance of a Ground Transportation License to perform Transports within the City of Des Peres. Alderman Fitzpatrick asked if this is just pertaining to St. Luke's Hospital. Mr. Dansuer stated no, Midwest Medical is used at other hospitals in the surrounding area.

Hearing no further comments or questions, Mayor Becker closed the Public Hearing at 7:08 PM.

### **CITIZEN COMMENTS –**

Yvonne Allen, 1160 Bopp Road, spoke in opposition of marijuana facilities in The City of Des Peres. Ms. Allen expressed her concern for the security and safety of the children living in the area and how important it is to protect our youth.

### **CONSENT AGENDA**

Mayor Becker announced that there were eight (8) action items currently under the Consent Agenda. At the request of Mayor Becker, Alderman Osherow read aloud those items individually:

1. Minutes of the Board of Aldermen Meeting of March 13, 2023
2. Warrant List Dated March 24, 2023
3. R23-3674 Authorizing a Temporary Exterior Storage, Sales and Display Permit to Carrollton Bank, 11710 Manchester Road, for an Exterior Customer Appreciation Event on June 9, 2023
4. R23-3675 Endorsing Issuance of a Ground Transportation License by the Missouri Department of Health and Senior Services to Midwest Medical Transport Company to Perform Inter-Facility Ground Transports within the City of Des Peres Pursuant to RSMO 190.109
5. R23-3676 Amending the Capital Improvement Fund Budget by Adoption of a \$12,100 Supplemental Appropriations for Capital Projects Budgeted and Initiated in 2022 But Carried Forward Into 2023 for Completion
6. R23-3677 Establishing Preliminary 2023 Real Estate Tax Rates at \$0.00 in Accordance with the Provisions of Sections 137.180 and 137.243 RSMO
7. R23-3678 Authorizing a Contract with Stryker Medical for Purchase of a Stryker EMS Power Pro XT Ambulance Cot
8. R23-3679 Authorizing a Contract with DJM Ecological Services to Update the Inventory of all Trees within City Rights-of-Way and Parks; Authorizing Acceptance of a Tree Resource Improvement and Management (TRIM) Grant from the Missouri Department of Conservation

City Administrator Harms stated the dates originally detailed in R23-3679 have been modified, from May 1 - May 30, 2023, to July 1, 2023 - September 30, 2023. Mayor Becker asked for a motion to reflect the new dates in R23-3679. Alderman Fitzpatrick made a motion, seconded by Alderman Osherow to modify R23-3679 with the new dates of July 1, 2023 - September 30, 2023. 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.

Mayor Becker asked if there were any questions or comments pertaining to the amended consent agenda. Hearing none, Alderman Concagh made a motion, seconded by Alderman Kleinschmidt to approve the eight Consent Agenda as amended. 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**
- **Reports of Boards and Commissions**
  - Report of the Audit & Finance Committee Meeting held March 22, 2023
  - Report of the Board of Adjustment Meeting held March 22, 2023

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

## LEGISLATION

### Unfinished Business –

- a. **B23-2983 An Ordinance of The City of Des Peres Amending Sections 16-1, 16-85 and 16-86, and Enacting Sections 16-95, 16-96, 16-97, 16-98, 16-99, 16-100, 16-101, 16-102, 17-4 and 17-5 Related to the Regulation of Adult Use Marijuana (Introduction)**

Alderman Fitzpatrick read B23-2983 for the second time.

Alderman Barrett made a motion, seconded by Alderman Osherow to approve B23-2983. 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.

- b. **B23-2984 An Ordinance Amending Section 12-3 and 12-4 of Chapter 12. Health & Sanitation of the Des Peres Municipal Code to Prohibit Smoking or Vaping or Marijuana Infused Products in Indoor Public Spaces (Introduction)**

Alderman Osherow read B23-2984 for the second time.

Alderman Fitzpatrick questioned if B23-2984 was pertaining to outdoor smoking. City Administrator Harms clarified B23-2984 is specific to prohibiting the smoking of tobacco, vaping and marijuana infused products in indoor public spaces. The City has yet to address the issue of smoking relative to outdoor spaces.

Alderman Osherow made a motion, seconded by Alderman Fitzpatrick to approve B23-2984. 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.

## **NEW BUSINESS –**

**a. B23-2985 An Ordinance Ending the Moratorium on Issuance of Conditional Use Permits Imposed Under Ordinance 2957 Effective April 1, 2023 (Introduction, 2<sup>nd</sup> Reading and Vote)**

Alderman Fitzpatrick read B23-2985 for the first time.

Mayor Becker asked for a motion to waive the rules for second reading. Alderman Concagh made a motion, seconded by Alderman Fitzpatrick to read B23-2985 for a second time. 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 Fitzpatrick read B23-2985 for the second time.

Alderman Fitzpatrick made a motion, seconded by Alderman Concagh to approve B23-2985. 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.

**b. B23-2986 An Ordinance Amending Section 2-329 of the Municipal Code Relating to the Sale of Surplus Supplies, Materials and Equipment and To Allow Use of Online Auction Services for Such Sales (Introduction)**

Alderman Concagh read B23-2986 for the first time.

Mayor Becker stated B23-2986 will be held over until the April 10<sup>th</sup> Board of Aldermen Meeting for second reading and passage/approval at that time.

**c. B23-2987 An Ordinance Granting a Conditional Use Permit for Operation of a Restaurant at 1193 Colonnade Center to Crisp & Green (Introduction, Hold for Public Hearing on April 10, 2023)**

Alderman Osherow read B23-2987 for the first time.

Mayor Becker stated B23-2987 will be held over until the April 10<sup>th</sup> Board of Aldermen Meeting for Public Hearing, second reading and passage/approval at that time.

**d. B23-2988 An Ordinance Approving a Boundary Adjustment Plat for 11904 Lillian Avenue (Introduction, Request to Waive Rules, 2<sup>nd</sup> Read and Vote)**

Alderman Pound read B23-2988 for the first time.

Mayor Becker asked if there was anyone in the audience attending for B23-2988. Nick Luzzza with NJL Custom Homes stated he would like B23-2988 to be read a second time, since he will not be available for the April 10<sup>th</sup> Board of Aldermen Meeting and the owners want to get this moving. Mayor Becker asked for a motion to waive the rules for a second reading. Hearing none, B23-2988 will be held until the April 10<sup>th</sup> Board of Aldermen Meeting for second reading and passage/approval at that time.

## **MISCELLANEOUS BUSINESS –**

### **1. Report of the City Administrator**

#### **1. Lifeguard Staffing – Increase in Pay Ranges**

City Administrator Harms expressed the ongoing struggle The Lodge is experiencing with recruitment of lifeguards. The current hourly base rate for lifeguards is \$13.00 per hour. City Administrator stated The Lodge will be increasing the hourly base rate to a more competitive rate of \$15.00 per hour in order to attract and retain a sufficient number of lifeguards for the summer season. The added cost of this increase would be \$63,000 per year if the lifeguards are fully staffed.

#### **2. Municipal Election, April 4, 2023; Proposition “M”**

City Administrator reminded the board of the upcoming April 4<sup>th</sup> Municipal Election and spoke briefly about Proposition “M” – the 3.0% tax on adult use marijuana.

## **REQUEST FOR EXECUTIVE SESSION**

Staff has not been notified by the Mayor or City Attorney of a request for Executive Session.

## **ADJOURNMENT**

Alderman Fitzpatrick made a motion, seconded by Aldermen Barrett to adjourn the Regular Meeting at 7:39 P.M.

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Amanda Hurley  
City Clerk

Minutes approved by the Board of Aldermen on the 10<sup>th</sup> day of April, 2023.

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Mark Becker, Mayor

ATTEST:

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Amanda Hurley  
City Clerk