

**MINUTES  
BOARD OF ALDERMEN  
JUNE 12, 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 7:01 P.M. on Monday, June 12, 2023.

**ROLL CALL**

The City Clerk took roll call with the following elected officials physically present: Alderman Concagh, Alderman Fitzpatrick, Alderman Kleinschmidt and Alderman Pound. Mayor Becker was also present. Alderman Barrett attended remotely, via zoom.

Alderman Osherow was absent.

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

All present rose for the Pledge of Allegiance.

**AMENDMENT TO AGENDA - NONE**

**CITIZEN COMMENTS**

Jeanne Fluri – 1820 Gray Drive – spoke very much against recreational marijuana and asked the board not to rush on B23-2993.

Kevin Cushing – 120 S. Central Clayton, MO – spoke about B23-2993 and asked the board to take their time considering passing such bill.

Sam Eversman – 1308 Bansbach – spoke against Root66 and asked the board not to jump the gun.

Bill Smith – 12341 Creekhaven – spoke about Amendment 3, rumors being spread among Des Peres residents, residential buffers and the term “unduly burdensome”.

Yvonne Allen – 1600 Bopp Road – spoke against marijuana, protecting the children and protecting banks.

Robert Barringer – 1322 Bansbach Road – spoke in opposition of marijuana and talked about having more regulations to the residential buffer.

Nancy Calijan – 2045 Oak Drive – spoke in opposition of marijuana. Ms. Calijan also spoke of her three children and how Des Peres is only looking at the price tag on recreational use.

Carla Kramer – 18 Morris Place Lane – spoke in favor of adding a 1,200 sqft residential buffer.

Dan Welsh – Representative of Root 66 – spoke about B23-2993 and gave a power point presentation on the parking details within the bill. Mr. Welsh requested a few changes be made to the bill specifically on the parking standards. Alderman Fitzpatrick and Dan Welsh went back

and forth about the parking and the revenue Root66 said they would receive for comprehensive marijuana.

Kevin Quigley – 1308 Camden Drive – spoke about the saying “just say no to drugs”. Mr. Quigley also sent an email in before the board meeting stating his opposition on marijuana.

Kevin Cushing – 120 S. Central Clayton, MO – stated he is representing Briann Reality Group and spoke about the traffic study the city paid for.

Dan Welsh – Representative of Root 66 – stated the traffic study the city paid for, did not include the thousand square feet of gross floor area of the comprehensive marijuana dispensary facility.

Hamid Hamrah – 1408 Fawnvalley Drive – spoke about 7/11, Village Bar and Mobil on the Run serving to minors with fake IDs, with dispensaries they have to run IDs through a security system for you to actually buy marijuana. Mr. Hamrah spoke up for the individuals who are struggling with cancer, mental illness, PTSD and other medical problems marijuana help with.

Sam Eversman – 1308 Bansbach – spoke against the parking at Root66.

Yvonne Allen – 1600 Bopp Road – spoke about the fairness to all business’ in Des Peres.

Robert Barringer – 1322 Bansbach Road – spoke about the security measures at Root66.

Carla Kramer – 18 Morris Place Lane – asked if the city really needs another traffic study.

Nancy Calijan – 2045 Oak Drive – spoke about individuals driving under the influence of marijuana.

Cathleen Kolthoff – 1525 Breezerigde Drive – sent an email stating she was unable to attend the meeting tonight, however she still wanted to express her opposition on marijuana.

## **CONSENT AGENDA**

Mayor Becker announced that there were thirteen (13) action items currently under the Consent Agenda. Alderman Pound requested line item 4. R23-3696 be removed from the consent agenda for discussion. City Administrator Doug Harms stated line item 4. R23-3696 will be added to New Business on the agenda. At the request of Mayor Becker, Alderman Concagh read aloud those twelve (12) items individually:

1. Minutes of the Board of Aldermen
  - a. Regular Meeting Held May 8, 2023
  - b. Special Meeting Held May 15, 2023
2. Approval of Warrant List
  - a. Warrant List from May 18, 2023
  - b. Warrant List Dated June 8, 2023
3. R23-3695 Acknowledging Receipt of the 2022 Annual Comprehensive Financial Report and Citizens Popular Annual Financial Report for Fiscal Year 2022
4. ~~R23-3696 Authorizing an Agreement with Civil Design Inc (CDI) for Design and Construction Management Services Relating to Expansion of the City Hall Parking Lot and Adopting a Supplemental Appropriation Relating Thereto~~
4. R23-3697 Authorizing Purchase and Installation of Commercial Fitness Equipment from Push Pedal Pull and Foremost Fitness Using a Cooperative Procurement Contracts Offered Through Sourcewell
5. R23-3698 Authorizing A Contract for Renewal of Property Insurance Coverage with

6. R23-3699 Selective Insurance Company for the 12 Month Period Commencing July 1, 2023 Authorizing Continued Membership in the St Louis Area Insurance Trust (SLAIT); and renewing Workers Compensation Insurance, General and Police Professional Liability Coverage with SLAIT for the Year Beginning July 1, 2023
7. R23-3700 Authorizing Purchase of Public Official Liability Insurance Coverage from XL Catlin Company for the Year Commencing July 1, 2023 with a Policy Limit of \$3,000,000 (Premium \$29,275) and Adopting a Supplemental Appropriation Relating Thereto in the Amount of \$1,450
8. R23-3701 Authorizing an Amended Contract with Kingsland Concrete Contractors for \$110,000 in Additional Sidewalk Replacement in the Dougherty Ridge and Dougherty Woods Subdivisions and Approving an Amendment to the Capital Improvement Fund Budget Relating Thereto
9. R23-3702 Agreeing to Participate in the St Louis Metro APWA Salt Cooperative and Authorizing a Contract for Purchase of De-Icing Salt from Compass Minerals for Delivery in 2024
10. R23-3703 Approving a Parade Permit for St Clement of Rome Relating to a "Walk for the Poor" on September 23, 2023
11. R23-3704 Designating TRANE USA as a Sole Source Vendor for Purchase of Ten (10) Condenser Fan Motor Assemblies for Repairs to Chiller #1 and #2 at the Lodge and Authorizing an Amendment to the 2023 Park fund Budget in the Amount of \$33,840
12. R23-3705 Authorizing Placement of Cyber Liability Insurance Coverage with Lloyds of London for the Year Commencing July 1, 2023 with a Policy Limit of \$2,000,000 and Adopting a Supplemental Appropriation Relating Thereto

Mayor Becker asked if there were any questions or comments pertaining to the consent agenda. Hearing none, Alderman Fitzpatrick made a motion, seconded by Alderman Kleinschmidt to approve the twelve (12) items on the 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", and Alderman Pound, "AYE". Motion passed 5-0.

## REPORTS OF OFFICERS AND COMMITTEES

- **Report of the Mayor**
  - Mayor Becker issued Board Assignments which are effective July 1, 2023

	2023-24	2022-23	2021-2022	2020-21	2019-20	2018-19
President of Board	Fitzpatrick	Barrett	Barrett	Fitzpatrick	Pound	Kleinschmidt
Planning & Zoning	Kleinschmidt	Pound	Pound	Pound	Sansone	Barrett
Public Safety	Concagh	Concagh	Concagh	Concagh	Barrett	Fitzpatrick
Parks & Recreation	Osherow	Osherow	Osherow	Barrett	Fitzpatrick	Concagh
Audit & Finance	Barrett	Kleinschmidt	Fitzpatrick	Kleinschmidt	Kleinschmidt	Sansone
Board of Adjustment	Pound	Fitzpatrick	Kleinschmidt	Sansone	Concagh	Pound

- **Reports of Boards and Commissions**
  - Report of the Public Safety Commission Meeting held May 15, 2023
  - Report of the Planning and Zoning Commission Meeting held May 17, 2023
  - Report of the Parks & Recreation Commission Meeting held June 1, 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. **B23-2992** An Ordinance Calling an Election to be held November 5, 2024 to Ban All Non-Medical Microbusiness Dispensary Facilities and all Comprehensive Marijuana Dispensary Facilities from Being Located or Operating in the City of Des Peres (Introduction)

Alderman Kleinschmidt read B23-2992 for the second time. (Alderman Osherow read B23-2992 for introduction, however was absent)

Alderman Kleinschmidt made a motion, seconded by Alderman Concagh to approve B23-2992. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", and Alderman Pound, "AYE". Motion passed 5-0.

- b. **B23-2993** An Ordinance Amending Sections 402.002, 404.055 and 408.015 of Appendix C. Zoning of the Municipal Code of the City of Des Peres Relating to Comprehensive Marijuana Facilities

Alderman Pound read B23-2993 for the second time.

Alderman Fitzpatrick made a motion, seconded by Alderman Pound to remove B23-2993 and B23-2993.1 to discuss parking issues and bring up on a date where the full board is present. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", and Alderman Pound, "AYE". Motion passed 5-0.

## NEW BUSINESS –

- a. **B23-2994** An Ordinance Authorizing an Agreement with SSM Health Systems of St Louis to Provide Medical Director Service for the Department of Public Safety (Introduction)

Alderman Concagh read B23-2994 for the first time.

Mayor Becker stated B23-2994 will be held until the Board Meeting, on June 26<sup>th</sup> for second reading and passage/approval at that time.

- b. **B23-2995** An Ordinance Rezoning a 6.45 Acre Tract of Land Located at 13431Manchester Road from the "C-1" Commercial District to Planned Development Mixed (PD-MXD) District and Approving a Preliminary Development Plan Related Thereto (Introduction Only, Hold for Public Hearing in 6/26/23)

Alderman Concagh read B23-2995 for the first time.

Mayor Becker stated B23-2995 will be held until the Board Meeting, on June 26<sup>th</sup> for Public Hearing, second reading and passage/approval at that time.

- c. **R23-3696** Authorizing an Agreement with Civil Design Inc (CDI) for Design and Construction Management Services Relating to Expansion of the City Hall Parking Lot and Adopting a Supplemental Appropriation Relating Thereto

Alderman Pound made a motion, seconded by Alderman Fitzpatrick to table R23-3696 for discussion and to gather more information. A roll call vote was taken with the following results: Alderman Barrett, "AYE", Alderman Concagh, "AYE", Alderman Fitzpatrick, "AYE", Alderman Kleinschmidt, "AYE", and Alderman Pound, "AYE". Motion passed 5-0.

## MISCELLENOUS BUSINESS – NONE

### Report of the City Administrator

City Administrator Doug Harms reminded the board they need meet to go over specific topics. City Administrator stated the cancellation of the June 26<sup>th</sup> meeting has been undone and other dates to meet are:

DATE	TIME	Purpose
6-26	6:00PM	Worksession – Construction Projects; City Hall – Park Parking
6-26	7:00PM	Regular Board Meeting Public Hearing Magnolia
7-10	7:00PM	Regular Board Meeting Probable Vote on Magnolia Ridge
7-17	6:00PM	Work Session – Strategic Planning (2 Hour Meeting)
7-20	6:00PM	Alternate to Meeting on 7-17
7-24	7:00PM	Regular Meeting Reinstated Probably Vote on Cannabis
7-31	6:00PM	Worksession – Pension Issues Education DC vs DB Plan Design LAGERS Cost Review

### 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 Concagh to adjourn the Regular Meeting at 8:58 P.M.

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Amanda Hurley  
City Clerk

Minutes approved by the Board of Aldermen on the 26<sup>th</sup> day of June, 2023.

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Mark Becker, Mayor

ATTEST:

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Amanda Hurley  
City Clerk

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